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FOOD AND DRUGS ACT

NOTICES OF JUDGMENT Nos. 8501-9000

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 8501-8550.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 28, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8501. Misbranding of Beecham's Pills. U. S. * * * v. 117 Dozen Cartons of Beecham's Pills. Consent decree of condemnation and forfeiture. Product released on bond.
(F. & D. No. 11051. I. S. No. 2937-r. S. No. W-470.)

On August 22, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 117 dozen cartons of Beecham's Pills, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by B. F. Allen, New York, N. Y., June 20, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of white pills coated with talc and composed essentially of aloes and ginger.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the wrapper, "Beecham's Pills * * * Sold by the Proprietor, St. Helen's, Lancashire, England," which was false and misleading, and the article was falsely branded as to the country in which it was manufactured and produced, in that it was of domestic origin. Misbranding was alleged in substance for the further reason that the article, which might be used as a drug, was labeled in part on the circular, "* * * the most reliable family medicine procurable * * * specific to be depended on defeating those evils which usually assail health in our daily life and if taken in time they will ward off many a serious illness * * * the blood * * * We may all by the aid of Beecham's Pills keep important organs of the body in working order * * * should anyone be suffering from overindulgence be he ever so ill or his head so bad let him take a dose of Beecham's Pills and he will be all right in the morning * * *," which statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On September 6, 1919, the B. F. Allen Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8502. Misbranding of Bliss Native Herbs Tablets. U. S. * * * v. 110 Boxes, \$1 Size, and 89 Dozen, \$1 Size, and 37 Dozen, 50-cent Size, of Bliss Native Herbs Tablets. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11265, 11266. I. S. Nos. 8329-r, 8330-r. S. Nos. C-1466, C-1471.)

On or about September 22, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 110 boxes, \$1 size, of Bliss Native Herbs Tablets, consigned on August 20, 1919, and 89 dozen boxes, \$1 size, and 37 dozen boxes, 50-cent size, of Bliss Native Herbs tablets, consigned on August 27, 1919, both consignments by the Alonzo O. Bliss Medical Co., Washington, D. C., remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the District of Columbia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * Indigestion, Dyspepsia, Auto-Intoxication, Sick and Nervous Headache, Kidney and Liver Derangements, Loss of Appetite, Blood Impurities, etc.;" (circular) " * * * To restrain the growth of harmful bacteria in the intestines and eliminate them * * * Rheumatism * * * invaluable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargements of joints. Corrects the blood, dissolving acids * * * Kidneys and Bladder Inflammation of bladder, scalding urine and brick-dust sediment. Back-ache, sharp shooting pains in back, weakness * * * headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition * * * Chronic liver ailments * * * Catarrh * * * to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force * * * Grippe, Influenza or epidemic catarrh * * * active catarrhal inflammations, attended by severe pains throughout the body, * * * a great blood stimulator * * * to remove impurities of the blood * * * Malaria, Chills and Fever * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of alces, licorice, uva ursi, capsicum, and probably buchu.

Misbranding of the article was alleged in substance in the libel for the reason that its package and label bore and contained certain statements, as hereinbefore set forth, regarding the curative or therapeutic effect thereof, which were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

On February 2, 1920, the Alonzo O. Bliss Medical Co., Washington, D. C., claimant, having admitted the facts set forth in the libel and consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8503. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 1,250 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11904. I. S. No. 9129-r. S. No. C-1700.)

On January 30, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,250 cases, each containing 24 cans, of tomatoes, at Chicago, Ill., alleging that the article had been shipped by the Chino Canning Co., Chino, Calif., November 26, 1919, and transported from the State of California into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it had been sold and shipped as tomatoes with tomato juice, whereas tomato pulp products had been substituted in whole or in part therefor, and for the further reason that tomato pulp products had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged in substance for the reason that the cans contained in the cases were labeled in part, to wit, "Standard C-C-C Three C Brand Tomatoes with pure Tomato Juice," together with a design of ripe tomatoes, which statement and design were false and misleading and deceived the purchaser, in that they purported and represented that the article was tomatoes packed with tomato juice, whereas it contained tomato pulp products, and for the further reason that the article was an imitation of, and was sold under the distinctive name of, another product, to wit, tomatoes with tomato juice.

On June 21, 1920, John H. Leslie Co., Chicago, Ill., claimant, having admitted the material allegations in the libel and consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the label, to wit, "Tomatoes with Pure Tomato Juice," be changed to read "Tomatoes With Tomato Pulp."

E. D. BALL, *Acting Secretary of Agriculture.*

8504. Adulteration and misbranding of tuna fish. U. S. * * * v. 1,000 Cases of Alleged Tuna Fish. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11923, 11924, 11925, 11926, 11927, 11928, 11929. I. S. No. 13453-r. S. No. E-4961.)

On February 6, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases, each containing 48 cans, of alleged tuna fish, consigned by the United Tuna Packers, Inc., Wilmington, Calif., remaining unsold in the original unbroken packages at Rochester, N. Y., alleging that the article had been shipped on or about October 2, 1919, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that bonita and striped tuna (*Gymnosarda pelamis*) had been mixed and packed with, and substituted wholly or in part for, California tuna.

Misbranding was alleged in substance for the reason that the statements "California Tuna * * * Blue Fin Tuna * * *," borne on the packages containing the articles, were false and misleading in that they represented the article to be meat of the California blue fin tuna, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was California blue fin tuna, whereas, in truth and in fact, the article was not California or blue fin tuna, but was composed wholly or in part of bonita and striped tuna (*Gymnosarda pelamis*). Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 28, 1920, the United Tuna Packers, Inc., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8505. Adulteration and misbranding of Pepso-Laxatone. U. S. * * * v. 101 Bottles of Pepso-Laxatone. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 11937. I. S. No. 9639-r. S. No. C-1716.)

On or about February 12, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 101 bottles of Pepso-Laxatone, consigned by the Burlingame Chemical Co., Los Angeles, Calif., October 6, 1919, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of California into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pepso-Laxatone * * * Starch converting enzymes calculated as Pancreatin U. S. P., 0.025 grms. per 100 mls. * * * Starch converting enzymes calculated as Diastase U. S. P., 0.0125 grms. per 100 mls * * * for the relief of habitual Constipation, Gastric Disorders and Indigestion * * * Burlingame Chemical Co., Los Angeles, Cal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained not more than traces, if any, of diastase and pancreatin.

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding was alleged in substance for the reason that the statements contained on the label of the bottles, as aforesaid, were false and misleading, and for the further reason that the statement on the labeling, regarding the curative and therapeutic effects, "An efficient combination of agents for * * * Gastric Disorders," was false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8506. Adulteration and misbranding of kidney beans. U. S. * * * v. 950 Cases of Kidney Beans. Consent decree of condemnation and forfeiture. Product released on bond.
(F. & D. No. 11944. I. S. No. 9733-r. S. No. C-1742.)

On February 16, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 950 cases of kidney beans, at Chicago, Ill., alleging that the article had been shipped by the Twitchell-Champlain Co., Portland, Me., January 3, 1920, and transported from the State of Maine into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it had been sold and shipped as red kidney beans, whereas long cranberry beans had been substituted in whole or in part for red kidney beans, and for the further reason that long cranberry beans had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged in substance for the reason that the cases and cans containing the article were labeled in part, as follows, "Red Kidney Beans," which statement was false and misled and deceived the purchaser in that it purported and represented that the article contained in the cases and cans was red kidney beans, whereas, in truth and in fact, the cases and cans contained other articles, to wit, long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of, and was sold under the distinctive name of, another food product, to wit, red kidney beans.

On March 5, 1920, Twitchell-Champlain Co., Portland, Me., claimant, having admitted the material allegations in the libel and consented to a decree, judgment

of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8507. Adulteration and misbranding of cottonseed meal. U. S. * * * v. De Soto Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11946. I. S. No. 10905-r.)

On April 29, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the De Soto Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in the name of L. B. Lovitt & Co., in violation of the Food and Drugs Act, as amended, on or about December 10, 1918, from the State of Tennessee into the State of Kentucky, of a quantity of an article, described in a contract and shipped as cottonseed meal, "Prime—Seven & one-half (7½%) per cent ammonia," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.93 per cent of nitrogen, or an equivalent of 7.21 per cent of ammonia.

Adulteration of the article was alleged in the information for the reason that cottonseed meal containing less than an equivalent of 7½ per cent of ammonia had been substituted in whole or in part for cottonseed meal containing an equivalent of 7½ per cent of ammonia.

Misbranding was alleged for the reason that the statement, to wit, "7½% ammonia," borne on the contract of sale, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained an equivalent of 7½ per cent of ammonia, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained an equivalent of 7½ per cent of ammonia, whereas, in truth and in fact, it did not contain an equivalent of 7½ per cent of ammonia, but contained a less amount. Misbranding was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 28, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8508. Adulteration and misbranding of olive oil. U. S. * * * v. George P. Papadopoulos. Plea of guilty. Fine, \$25. (F. & D. No. 11950. I. S. Nos. 13736-r, 14781-r, 14782-r.)

On April 12, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George P. Papadopoulos, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on November 14, 1918, from the State of New York into the State of Connecticut, and on October 8, 1918, from the State of New York into the State of New Jersey, of quantities of olive oil which was adulterated and misbranded.

Examinations of samples of the article by the Bureau of Chemistry of this department showed that it contained cottonseed and corn oils, and that it was short in volume.

Adulteration of the article was alleged in the information for the reason that cottonseed oil and corn oil had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio il Toscano Brand Lucca-Style," "Net Contents Full One Gallon" (or "Full Half Gallon" or "Full One Quart") "Questo È il Famoso Olio il Toscano Perfetto per cucina E per Insalata, E Garéntito Dalla Piu Grande Ditta Importatrice Degli Stati Uniti," not corrected by the statement in inconspicuous type in an inconspicuous place, "Cotton Seed Salad Oil Slightly Flavored with Olive Oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was produced in the kingdom of Italy, and that each of the cans contained 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net, as the case might be, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was produced in the kingdom of Italy, and that each of the cans contained 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil and corn oil; said article was not produced in the kingdom of Italy, but was produced in the United States of America, and each of the cans did not contain 1 gallon, $\frac{1}{2}$ gallon, or 1 quart net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the statements aforesaid purported said article to be a foreign product, when not so. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 21, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8599. Adulteration and misbranding of cottonseed meal and misbranding of cottonseed cake. U. S. * * * v. F. W. Brode & Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11953. I. S. Nos. 7516-r, 11954-r.)

On April 20, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. W. Brode & Co., a corporation, Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 30, 1918, from the State of Tennessee into the State of Illinois, of a quantity of an article, described by shipper in letter as "38 $\frac{1}{2}$ % Protein Cottonseed Meal," which was adulterated and misbranded, and on or about February 7, 1919, from the State of Tennessee into the State of Kansas, of a quantity of an article, invoiced as cottonseed cake, which was misbranded. The articles in both shipments were unlabeled.

Analysis of a sample of the cottonseed meal by the Bureau of Chemistry of this department showed that it contained 37.5 per cent of protein.

Adulteration of the cottonseed meal was alleged in the information for the reason that cottonseed meal of less than 38.50 per cent protein had been substituted in whole or in part for cottonseed meal containing 38.50 per cent of protein, which it purported to be.

Misbranding of the articles in both shipments was alleged for the reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 26, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8510. Misbranding of Salubrin A. U. S. * * * v. 12 Dozen Bottles, More or Less, of Salubrin A. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10154. I. S. No. 5528-r. S. No. C-1183.)

On May 1, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 bottles of Salubrin

A, at Duluth, Minn., alleging that the article had been shipped on or about December 31, 1918, by the Salubrin Laboratory, Grand Crossing, Ill., and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of alcohol, ethyl acetate, and water, with a trace of aldehyde.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing in the circular accompanying, on the carton enclosing, and on the label on the bottle containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for ring-worm, eczema, pimples, and other irritated conditions of the skin, dandruff and falling hair, to break a fever or to cure a cold, pneumonia, rheumatic aches and pains, vaginal discharge, hemorrhoids, rectal ulcers, and constipation, in all diseases of the nose, throat, bronchial tubes and lungs, lockjaw, cholera, consumption, typhoid fever, blood poisoning, boils and pimples, catarrhs, asthma, erysipelas, overstrained and inflamed eyes, glands swollen, barber's itch, headache, herpes, itch, scabies, poison ivy, poison oak, prickly heat, shingles, milkblotch, acne, psoriasis, rash, salt rheum, tetter, stomach troubles, diarrhea, thrush, varicose veins, painful menstruation, falling of the womb, and neuralgia pains in vagina or womb, whereas, in truth and in fact, it was not effective.

On July 15, 1919, the Salubrin Laboratory, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon payment of the costs of the proceedings and the filing of a bond in the sum of \$75, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8511. Misbranding of Gin-berry Capsules. U. S. * * * v. 5½ Dozen Packages, More or Less, of Gin-berry Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10565. I. S. No. 15036-r. S. No. E-1548.)

On June 18, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5½ dozen packages of Gin-berry Capsules, at Williamsport, Pa., alleging that the article had been shipped on or about April 24, 1919, by the Henry S. Wampole Co., Baltimore, Md., and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mass composed essentially of cubebs, balsam of copaiba, santal oil, magnesia, and alum.

Misbranding of the article was alleged in the libel in that certain statements in the circular accompanying, and on the cartons enclosing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for clap, gonorrhea, gleet, or any discharge from the urinary organs, whereas it was not effective.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and the court ordered that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8512. Misbranding of H. G. C. U. S. * * * v. 111 Bottles of H. G. C. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10331. I. S. No. 6814-r. S. No. C-1309.)

On June 24, 1919, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 111

bottles of an article of drugs, labeled in part "H. G. C. * * * Acme Chemical Mfg. Co., Ltd., N. O., La.," in the original packages at Fort Worth, Tex., alleging that the article had been shipped on or about April 21, 1919, from New Orleans, La., and transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was accompanied by a circular containing, in substance, the following statements: " * * * H. G. C. for Gonorrhœa, Gleet, Leucorrhœa or Whites. It is a non-poisonous injection for Gonorrhœa and Gleet, Leucorrhœa or Whites * * * For Leucorrhœa and Whites in females * * * For catarrhal conditions. Coryza, Nasal Catarrh, Cold in the Head, Chronic Catarrh of the Head. * * * Conjunctivitis, Catarrh of the Mucous Membrane Covering the Inner Surface of the Eyelids. * * * Inflammation of the Bladder * * * Hemorrhoids, Piles. * * * For ulcers and open sores it has antiséptic and healing qualities."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, one a liquid composed essentially of an aqueous solution of borax and berberine, and the other a package containing magnesium sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements contained in the circular, regarding the curative and therapeutic effects of said drug, were false and fraudulent in that said drug product did not contain any ingredient or combination of ingredients capable of producing the effects claimed, and was not a cure, treatment, or remedy for the diseases and conditions therein enumerated.

On April 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

5513. Adulteration of eggs. U. S. * * * v. James A. McHenry, Ella E. Bryan, Cecile E. Bryan, Mabel B. Berry, George A. Bryan, Walter J. Bryan, Raymond F. Bryan, Leta M. Bryan, and Henry Boggs. Plea of guilty. Fine, \$25. (F. & D. No. 11032. I. S. No. 5807-F.)

On January 10, 1920, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James A. McHenry, Ella E. Bryan, Cecile E. Bryan, Mabel B. Berry, George A. Bryan, Walter J. Bryan, Raymond F. Bryan, Leta M. Bryan, and Henry Boggs, trading as McHenry & Bryan, at Fayetteville, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 5, 1918, from the State of Arkansas into the State of Missouri, of a quantity of an article, labeled "Crax," which was adulterated.

Examination of a representative sample of the article, consisting of 8 cases, by the Bureau of Chemistry of this department showed 27.8 per cent of inedible eggs.

Adulteration of the article was alleged in the information in that the article was food and consisted in part of a filthy, decomposed, and putrid animal substance.

On January 22, 1920, the defendants entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

5514. Misbranding of cottonseed meal. U. S. * * * v. Logan County Cotton Oil Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11118. I. S. No. 6728-r.)

On November 8, 1919, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Logan County Cotton Oil Co., Paris, Ark., alleging shipment by the said defendant, on or about October 11, 1918, in violation of the Food and Drugs Act, from the State of Arkansas into the

State of Illinois, of a quantity of an article, labeled in part "Cottonseed Meal S. P. Davis' Cr'k'd, Se'n'd Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Ammonia	7.33
Protein	37.7
Crude fiber	14.1

Misbranding of the article was alleged in the information in that the statements, to wit, "Ammonia 8 Per Cent, Protein 41 Per Cent, Crude Fiber not over 9 Per Cent," borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser in that they represented that the article contained 8 per cent of ammonia and 41 per cent of protein and not more than 9 per cent of crude fiber, whereas, in truth and in fact, the article did not contain 8 per cent of ammonia, and did not contain 41 per cent of protein and contained more than 9 per cent of crude fiber.

On December 2, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8515. Adulteration of shell eggs. U. S. * * * v. George H. Hardin and George O. Bearden (G. H. Hardin & Co.). Tried to a jury. Verdict of guilty. Fine, \$20 and costs. (F. & D. No. 11602. I. S. No. 9437-r.)

On December 11, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George H. Hardin and George O. Bearden, copartners, trading as G. H. Hardin & Co., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 1, 1919, from the State of Arkansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of the 2 cases shipped, 180 from each case, by the Bureau of Chemistry of this department showed 40 inedible eggs, or 11.1 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On June 9, 1920, the case having come on for trial before the court and a jury, after the submission of evidence and arguments by counsel, the jury was charged by the court and, after due deliberation, returned a verdict of guilty, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8516. Misbranding of Dr. Harper's Anti-Cholera Tonic. U. S. * * * v. 486 Packages of Dr. Harper's Anti-Cholera Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11667 to 11677, inclusive. I. S. No. 8740-r. S. No. C-1595.)

On November 24, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 486 packages of Dr. Harper's Anti-Cholera Tonic, remaining unsold in the original unbroken packages in Oklahoma, as follows, 100 packages at LeFlore, 80 packages at Wister, 136 packages at Talihina, 42 packages at Howe, 56 packages at Albion, and 72 packages at Poteau, alleging that the article had been shipped by the Elite Chemical Co., Watertown, Tenn., on or about August 7, 1919, and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of sodium bicarbonate, sodium

sulphate, sulphur, iron oxid, and plant material, including fragments of seeds and hulls.

Misbranding of the article was alleged in substance in the libel for the reason that the cartons and circulars inside the cartons bore and contained certain statements, regarding the curative and therapeutic effects thereof, to wit, (carton) "Dr. Harper's Anti-Cholera Tonic for Hogs Given to Prevent Diseases of Swine For worms * * *," (circular) "How to Prevent Hog Cholera * * * About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera * * * in most cases acts as preventive to disease * * * Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease," which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8517. Misbranding of Texas Wonder. U. S. * * * v. 6 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11888. I. S. No. 16500-r. S. No. E-1932.)

On January 20, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of Texas Wonder, remaining in the original unbroken packages at Atlanta, Ga., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped September 29, 1919, and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the statements borne on the labels, cartons, and bottles and in the accompanying circular, to wit, (carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children * * *," (bottle) "A Texas Wonder for Kidneys Bladder Trouble * * *," (circular) "Hall's Great Discovery * * * In Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved," were false and fraudulent, in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof and to create in the mind of the purchaser thereof, the impression and belief that the article was in whole or in part composed of and contained ingredients and medicinal agents effective as a remedy for kidney and bladder troubles, weak and lame backs, rheumatism, and gravel, and to regulate bladder trouble in children, whereas, in truth and in fact, it was not.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8518. Adulteration of eggs. U. S. * * * v. James W. Hatchett (Hatchett Bros.). Plea of guilty. Fine, \$15 and costs. (F. & D. No. 11995. I. S. Nos. 9440-r, 9448-r.)

On March 9, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of

the United States for said district an information against James W. Hatchett, trading as Hatchett Bros., at Clinton, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, from the State of Arkansas into the State of Missouri, on or about July 7, and July 9, 1919, of quantities of shell eggs which were adulterated.

Examination of representative samples of the article from each shipment made by the Bureau of Chemistry of this department showed 14 per cent and 15.1 per cent, respectively, of inedible eggs.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 14, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8519. Adulteration and misbranding of egg noodles. U. S. * * * v. 388 Cases of Egg Noodles. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12753. I. S. No. 3434-r. S. No. W-608.)

On or about May 28, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 388 cases of egg noodles, at Seattle, Wash., alleging that the article had been shipped by the F. A. Martoccio Macaroni Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Washington, arriving on or about April 2, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cases) "24 Packages Electric Process Quality Brand Machine Dried Products, F. A. Martoccio Macaroni Co., Minneapolis, Minn.;" (carton) "Electric Process Quality Egg Noodles 4½ Ozs. Net Wt. Quality Brand Egg Noodles made from semolina and eggs F. A. Martoccio Macaroni Co., Minneapolis, Minn."

Adulteration of the article was alleged in substance in the libel for the reason that a product deficient in eggs had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the statement on the label, "Egg Noodles," was false and misleading and deceived and misled the purchaser when applied to a product deficient in eggs. Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 30, 1920, the F. A. Martoccio Macaroni Co., having filed a claim for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8520. Misbranding of cottonseed meal. U. S. * * * v. Union Seed & Fertilizer Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8489. I. S. No. 19653-m.)

On December 15, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., Helena, Ark., alleging shipment by the said defendant, in violation of the Food and Drugs Act, on or about December 27, 1916, from the State of Arkansas into the State of Indiana, of a quantity of an article, labeled in part "Security Brand Cottonseed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 32.8 per cent of protein.

Misbranding of the article was alleged in the information in that the statement on the tag attached to the sack containing the article, regarding it and the ingredients and substances contained therein, to wit, "36.0 Per cent of Crude Protein," was false and misleading in that it represented that the article contained not less than 36 per cent of crude protein, whereas, in truth and in fact, it did contain less than 36 per cent of crude protein.

On January 8, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8521. Misbranding of Brou's Injection and Grimault & Co's. Injection. U. S. * * * v. 10 Dozen Bottles of Brou's Injection and 2 Dozen Bottles of Grimault & Co's. Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10280, 10281. I. S. Nos. 7779-r, 7781-r. S. No. C-1218.)

On May 16, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 dozen bottles of Brou's Injection and 2 dozen bottles of Grimault & Co's. Injection, consigned by E. Fougere & Co., Inc., New York, N. Y., November 8, 1918, remaining unsold in the bottles at Cincinnati, Ohio, alleging that the articles had been transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The Brou's Injection was labeled in part: (Bottle) "Hygienic and Preservative Brou's Injection * * * Distributors E. Fougere & Co., Inc., New York," (in French) " * * * against discharges recent or chronic and against 'White Flowers;' " (circular) " * * * for the cure all recent and chronic discharges of the urinary organs (Gonorrhœa, Leucorrhœa and Gleet) * * * " The Grimault & Co's. Injection was labeled in part: (Bottle) "Grimault and Co's. Injection * * * remarkable preventive * * * properties;" (circular) " * * * in the treatment of chronic and acute discharges from the urethra * * * acts especially well on all muco-purulent discharges * * * in Gonorrhœa * * * discharges from the female generative organs whether merely whites or of a greenish-yellow color * * * ;" (in Spanish) " * * * recent or old blennorrhagic discharges * * * blennorrhagia and gonorrhœa for men * * * catarrh, leucorrhœa, flowers and losses * * * purulent greenish-yellow mucous discharges * * * white flowers * * * prophylactic and preservative * * * "

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that Brou's Injection consisted essentially of lead and zinc acetates and sulphates, a small amount of opium, alcohol, and water, and that Grimault's Injection consisted of a dilute aqueous solution of copper sulphate containing plant extractives, probably from matico.

Misbranding of the articles was alleged in substance in the libels for the reason that their packages and labels bore and contained certain statements, regarding the curative or therapeutic effects thereof, as hereinbefore set forth, which were false and fraudulent in that the articles contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the articles were insufficient of themselves for the successful treatment and cure of the ailments and diseases for which they were prescribed and recommended.

On September 19, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8522. Adulteration of tomato pulp. U. S. * * * v. 424 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10534. I. S. No. 6150-r. S. No. C-1293.)

On June 11, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 424 cans of tomato pulp, at New Orleans, La., alleging that the article had been shipped on September 26, 1918, by Houghland Bros. Canning Co., Underwood, Ind., and transported from the State of Indiana into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On January 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8523. Misbranding of Methyloids. U. S. * * * v. 2½ Dozen Bottles of Methyloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10843. I. S. No. 15868-r. S. No. E-1644.)

On or about July 15, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ dozen bottles of Methyloids, at Lynchburg, Va., alleging that the article had been shipped on or about September 11, 1918, by Frederick Stearns & Co., Detroit, Mich., and transported from the State of Michigan into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules contained methylene blue, copaiba balsam, santal and cassia oils, turpentine, a fixed oil, and combined sulphur.

Misbranding the article was alleged in the libel in that certain statements appearing in the circular accompanying, on the carton enclosing, and on the label on the bottle containing the article, regarding its curative and therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea, its complications, and in all cases where a urinary antiseptic is indicated, whereas, in truth and in fact, it was not effective.

On January 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8524. Adulteration and misbranding of honey. U. S. * * * v. 23 5-Pound Cans, 14 2½-Pound Cans, and 4 1½-Pound Cans of Honey. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10847. I. S. No. 15871-r. S. No. E-1646.)

On July 17, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 5-pound cans, 14 2½-pound cans, and 4 1½-pound cans of honey, remaining unsold in the original unbroken packages at Graham, Va., alleging that the article had been shipped on or about May 10, 1919, by W. B. Blakley, Keystone, W. Va., and transported from the State of West Virginia into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Blakley's B Honey blended, W. B. Blakley & Co., makers, Winston-Salem, N. C., and Danville, Va."

Adulteration of the article was alleged in the libel for the reason that invert sugar and sucrose had been mixed and packed with, and substituted wholly or in part for, the article. Adulteration was alleged in substance for the further reason that the article was mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the cans containing the article were labeled "Blakley's B Honey blended," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8525. Misbranding of cottonseed cake. U. S. * * * v. Hunt County Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 11119. I. S. Nos. 2557-r, 11966-r.)

On November 12, 1919, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hunt County Oil Co., Wolfe City, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, on November 5, 1918, and December 3, 1918, from the State of Texas into the States of Wyoming and Kansas, of quantities of an article, labeled in part "Ordinary Cracked Cotton Seed Cake Manufactured by Hunt County Oil Company," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 39.9 per cent of protein and 5.16 per cent of ether extract in the shipment of November 5, and that it contained 40.93 per cent of protein in the shipment of December 3.

Misbranding of the article was alleged in the information in that statements, to wit, "Protein not less than 43.00 per cent," in both shipments, and "Fat not less than 6.00 per cent," in the shipment of November 5, borne on the tags attached to the sacks containing the article, regarding it and its ingredients and substances, were false and misleading and deceived and misled the purchaser in that they represented that the article contained not less than 43 per cent of protein and, in the case of the shipment of November 5, not less than 6 per cent of fat, whereas the article contained less than 43 per cent of protein and less than 6 per cent of fat.

On February 2, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

8526. Misbranding of Crescent Molasses Feed. U. S. * * * v. George B. Matthews, George B. Matthews, Jr., and Martin L. Matthews, trading as Geo. B. Matthews & Sons. Plea of guilty. Fine, \$10. (F. & D. No. 11138. I. S. No. 16164-r.)

On December 9, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George B. Matthews, George B. Matthews, Jr., and Martin L. Matthews, trading as Geo. B. Matthews & Sons, New Orleans, La., alleging shipment by said defendants, on or about February 3, 1919, from the State of Louisiana into the State of Georgia, in violation of the Food and Drugs Act, of a quantity of an article, labeled in part "Crescent Molasses Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 8.73 per cent of protein and 3.19 per cent of fat.

Misbranding of the article was alleged in the information in that statements appearing on the label, to wit, "Guaranteed Analysis Protein 11 per cent, Fat 3.50 per cent,"

represented that the article contained 11 per cent of protein and 3.50 per cent of fat, whereas, in truth and in fact, it contained less than 11 per cent of protein and less than 3.50 per cent of fat.

On December 9, 1919, the defendants entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

8527. Misbranding of Stearns' Santaloids and Methyloids. U. S. * * * v. 15 Boxes of Stearns' Santaloids, 26 Boxes of Stearns' Methyloids. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 11158. I. S. Nos. 7153-r, 7156-r. S. No. C-1440.)

On September 5, 1919, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of certain quantities of certain articles, labeled in part "Santaloids" and "Methyloids," at Nashville, Tenn., alleging that the articles had been shipped on or about October 16, 1918, and May 3, 1918, by Frederick Stearns & Co., Detroit, Mich., and transported from the State of Michigan into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Santaloids consisted of capsules containing sandalwood oil, and that the Methyloids consisted of capsules containing a mixture of methylene blue, copaiba balsam, santal and cassia oils, turpentine, a fixed oil, and combined sulphur.

Misbranding of the articles was alleged in the libel in that certain statements appearing in the circulars accompanying, on the cartons enclosing, and on the labels on the bottles containing the articles, regarding their therapeutic or curative effects, falsely and fraudulently represented the articles to be effective as a remedy for gonorrhea and inflammation of mucous membranes, especially of the urinary tract, gleet, gonorrhea, its complications, and all cases where a urinary antiseptic is indicated, whereas, in truth and in fact, the articles were not effective.

On July 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8528. Misbranding of Bliss Native Herbs. U. S. * * * v. 13½ Dozen Cartons of Drugs. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 11303. I. S. Nos. 8607-r, 8609-r, 8610-r. S. No. C-1484.)

On September 24, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 27, 1919, an amended libel, for the seizure and condemnation of 3½ dozen cartons, \$1 size, and 10 dozen cartons, 50-cent size, of drugs, labeled in part "Bliss Native Herbs," remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Alonzo O. Bliss Medical Co., Washington, D. C., on or about September 3, 1919, and transported from the District of Columbia into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton, 50-cent size) " * * * Indigestion, Dyspepsia, Auto-Intoxication, Sick and Nervous Headache, Kidney and Liver Derangements, Loss of Appetite, Blood Impurities, etc. * * *;" (inner carton, \$1 size) " * * * Chills * * *;" (circular) "To restrain the growth of harmful bacteria in the intestines and eliminate them, * * * successfully adjusts bowel troubles, Intestinal Indigestion * * * Rheumatism. * * * valuable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargement of joints. Corrects the blood, dissolving acids that accumulate in the system. * * * Kidneys

and Bladder, Inflammation of bladder, scalding urine and brick-dust sediment. Backache, sharp shooting pains in back, weakness * * *. Liver * * * headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition. * * * Chronic liver ailments * * *. Catarrh * * * Deep-seated catarrhal affection whether of the head or stomach * * *. Grippe, Influenza or epidemic catarrh * * *. The Blood * * * a great blood stimulator * * * to remove impurities of the blood * * *. Malaria, Chills and Fever * * *. Piles * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of tablets composed essentially of aloes, acid resins, licorice, uva ursi, and probably buchu.

Misbranding of the article was alleged in substance in the libel and amended libel for the reason that the statements aforesaid, regarding the curative and therapeutic effect thereof, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 4, 1919, the Alonzo O. Bliss Medical Co., Washington, D. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8529. Misbranding of cottonseed meal. U. S. * * * Robert Lee Batte (Cameron Cotton Oil Co.). Plea of guilty. Fine, \$25. (F. & D. No. 11342. I. S. No. 10685-r.)

On December 20, 1919, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert Lee Batte, trading as the Cameron Cotton Oil Co., Cameron, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about September 25, 1918, from the State of Texas into the State of Indiana, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 39.11 per cent of protein.

Misbranding of the article was alleged in substance in the information for the reason that the statement appearing upon the label, to wit, "Protein not less than 43 per cent," was false and misleading in that it represented to purchasers thereof that the article contained not less than 43 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it contained not less than 43 per cent of protein, whereas, in fact and in truth, it contained less than 43 per cent of protein.

On February 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8530. Misbranding of "3 Days" Cure. U. S. * * * v. 50 Bottles of "3 Days" Cure. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10394. I. S. No. 15745-r. S. No. E-1430.)

On May 20, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 bottles of "3 Days" Cure, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the "3 Days" Cure Co., Washington, D. C., on or about March 31, 1919, and transported from the District of Columbia into the State of Virginia, and charging misbranding in violation of the Food and Drugs

Act, as amended. The article was labeled in part, "The '3 Days' Cure * * * Gonorrhœa and Gleet * * * The '3 Days' Cure Co., Washington, D. C."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, a liquid consisting essentially of an aqueous solution of zinc sulphate and boric acid, and capsules containing powdered cubeba and balsam of copaiba.

Misbranding of the article was alleged in substance in the libel for the reason that on the label on the bottle containing, and in the paper wrapper around the carton enclosing the article, were the following statements regarding the curative and therapeutic effect thereof, (bottle) "The '3 Days' Cure for Men * * * In Gonorrhœa and Gleet * * *," (wrapper) " * * * reliable remedy for Gonorrhœa and Gleet * * *," which were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8531. Adulteration of pork and beans. U. S. * * * 350 Cases of Pork and Beans. Product ordered released on bond upon payment of costs by claimant. (F. & D. No. 7563, I. S. No. 4535-1. S. No. E-662.)

On or about July 6, 1916, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 350 cases, each containing 24 cans, of pork and beans, consigned by Hart Bros., Saginaw, Mich., arriving on or about April 27, 1916, remaining unsold in the original unbroken packages at Wheeling, W. Va., alleging that the article had been transported from the State of Michigan into the State of West Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained 11 per cent of partly decomposed beans, and that it was unfit for use as food.

On June 29, 1919, Hart Bros., Saginaw, Mich., claimants, having entered an appearance, judgment was rendered ordering the release of the product to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned that the goods be not disposed of contrary to the provisions of said Food and Drugs Act.

E. D. BALL, *Acting Secretary of Agriculture.*

8532. Adulteration of tomato pulp. U. S. * * * v. 150 Cans of Tomato Pulp. Default. decree of condemnation, forfeiture, and destruction. (F. & D. No. 8547. I. S. No. 8728-p. S. No. C-751.)

On November 2, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases of tomato pulp, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by R. Respanti, Cleveland, Tenn., on or about September 8, 1917, and transported from the State of Tennessee into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed and putrid vegetable substance.

On November 19, 1917, R. Respanti, Cleveland, Tenn., claimant, filed an answer to the libel. On January 10, 1920, the case having been previously called and the claimant having defaulted, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8533. Adulteration and misbranding of canned tomatoes. U. S. * * * v. The Booth Packing Co., a Corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 8709. I. S. Nos. 11114 m, 11115-m.)

On August 10, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Booth Packing Co., a corporation, doing business at Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 25, 1916, from the State of Maryland into the State of Iowa, of a quantity of canned tomatoes which were adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed the presence of substantial amounts of added water.

Adulteration of the article was alleged in the information for the reason that added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

Misbranding was alleged for the reason that the statement "Booth's Tomatoes," appearing on the labels thereof, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented to purchasers thereof that said article consisted entirely of tomatoes, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article consisted entirely of tomatoes, whereas, in truth and in fact, said article did not consist entirely of tomatoes, but consisted in part of added water.

On August 11, 1920, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8534. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Margaret R. Ready and Richard T. Doughtie (New South Oil Mill). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 9234. I. S. No. 19663-m.)

On November 16, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Margaret R. Ready and Richard T. Doughtie, copartners, trading as the New South Oil Mill, Helena, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 1, 1917, from the State of Arkansas into the State of Indiana, of a quantity of cottonseed meal which was adulterated and misbranded. The article was labeled in part, "Farmer Brand Straight Cotton Seed Meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 32.9 per cent of protein and at least 33 per cent of cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and for the further reason that added cottonseed hulls had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "36.0 per cent of crude protein," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 36 per cent of crude protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it contained not less than 36 per cent of crude protein, whereas, in truth and in fact, it did contain less than 36 per cent of crude protein, to wit, approximately 32.9 per cent of crude protein.

On March 11, 1919, pleas of guilty to the information were entered by the defendants, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8535. Misbranding of cottonseed meal. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 9858. I. S. No. 15424-p.)

On July 18, 1919, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Osage Cotton Oil Co., a corporation, doing business at Fort Smith, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 4, 1918, from the State of Arkansas into the State of Michigan, of a quantity of cottonseed meal which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained 7.21 per cent of ammonia, 37.06 per cent of protein, and 12.93 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Ammonia $8\frac{1}{2}$ to $9\frac{1}{2}$ % Protein 43 to 48.02 % * * * Crude Fiber 12 to 8 %," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than $8\frac{1}{2}$ per cent of ammonia, not less than 43 per cent of protein, and not more than 12 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than $8\frac{1}{2}$ per cent of ammonia, not less than 43 per cent of protein, and not more than 12 per cent of crude fiber, whereas, in truth and in fact, the article contained less than $8\frac{1}{2}$ per cent of ammonia, less than 43 per cent of protein, and more than 12 per cent of crude fiber, to wit, approximately 7.21 per cent of ammonia, approximately 37.06 per cent of protein, and approximately 12.93 per cent of crude fiber.

On January 2, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8536. Misbranding of apples. U. S. * * * v. Howard M. Bond and Allen B. Bond (Bond Bros.). Pleas of guilty. Fine, \$5. (F. & D. No. 9856. I. S. No. 13724-r.)

On October 3, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Howard M. Bond and Allen B. Bond, copartners, trading as Bond Bros., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about August 23, 1918, from the State of Virginia into the State of New York, of a quantity of apples, contained in barrels, which were misbranded.

Misbranding of the articles was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 26, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

8537. Adulteration and misbranding of rye shorts. U. S. * * * v. Langenberg Milling Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 9891. I. S. No. 18051-r.)

On July 28, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Langenberg Milling Co., a

corporation, Republic, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about April 30, 1918, from the State of Missouri into the State of Pennsylvania, of a quantity of an article, invoiced as "Rye Shorts," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the presence of corn tissues.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, corn feed material, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for rye shorts, which the article purported to be.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 8, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8538. Adulteration and misbranding of alleged olive oil. U. S. * * * v. 5 Cases of Imitation Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10370. I. S. No. 5529-r. S. No. C-1162.)

On April 21, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases of imitation olive oil, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by Meyer & Lange, New York, N. Y., on or about July 1, 1918, from the State of New York into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance for the reason that cottonseed and peanut oils had been substituted wholly for olive oil.

Misbranding was alleged in substance for the reason that the label and brand, "Umberto Albertini," together with certain designs and devices representing medallions and the monogram "U. A.," were misleading, and deceived and misled the purchaser into believing that the article was an Italian olive oil, whereas, in fact, it was a mixture of cottonseed and peanut oils.

On July 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8539. Misbranding of Prescription 1000 Internal and Prescription 1000 Injection. U. S. * * * v. 15 Bottles of Prescription 1000 Internal and 30 Bottles of Prescription 1000 Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10348. I. S. Nos. 15736-r, 15743-r. S. No. E-1419.)

On May 19, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 bottles of Prescription 1000 Internal and 30 bottles of Prescription 1000 Injection, remaining in the original unbroken packages at Petersburg, Va., alleging that the article had been shipped by the Reese Chemical Co., Cleveland, Ohio, on or about April 15, 1919, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Prescription 1000 Injection consisted of a dilute aqueous solution of potassium permanganate, and that the Prescription 1000 Internal consisted essentially of an alkaline emulsion of balsam of copaiba flavored with methyl salicylate.

Misbranding of the articles was alleged in substance in the libel for the reason that the following statements appearing on the cartons containing, and in the circular accompanying the articles, regarding the curative and therapeutic effect thereof, (Prescription 1000 Internal, carton) "Prescription 1000 Internal is the most efficient treatment for Gleet and Gonorrhœa * * *," (circular) "For Gonorrhœa, Gleet, Bladder Troubles, Frequent Urination, Inflammation," (Prescription 1000 Injection, carton) "Prescription 1000 Injection A companion to our internal treatment used in obstinate cases where immediate results are desired. For Gonorrhœa and Gleet," (circular) "A companion of Prescription 1000 Internal, and is used with it, when convenient, in obstinate cases of Gonorrhœa or Gleet, where the patient desires immediate relief," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8540. Misbranding of Prescription 1000 Internal. U. S. * * * v. 3 Dozen Bottles of Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10355. I. S. No. 15734-r. S. No. E-1411.)

On May 21, 1919, the United States attorney for the Eastern District of Virginia acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Prescription 1000 Internal, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped on or about February 20, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an alkaline emulsion of copaiba balsam flavored with methyl salicylate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the cartons containing the article and in the circulars accompanying it, regarding the curative and therapeutic effects thereof, (carton) "Prescription 1000 Internal is the most efficient treatment for Gleet and Gonorrhœa * * *," (circular) "* * * For Gonorrhœa, Gleet, Bladder Troubles, Frequent Urination, Inflammation," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8541. Misbranding of Prescription 1000 Internal and Prescription 1000 Injection. U. S. * * * v. 18 Bottles of Prescription 1000 Internal and 11 Bottles of Prescription 1000 Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10356. I. S. Nos. 15731-r, 15742-r. S. No. E-1410.)

On May 21, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles of Prescription 1000 Internal and 11 bottles of Prescription 1000 Injection, remaining in the original unbroken packages at Newport News, Va., alleging that the article had been shipped by the Reese Chemical Co., Cleveland, Ohio, on or about March 13, 1919, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Prescription 1000 Internal consisted essentially of an alkaline emulsion of copaiba and methyl salicylate, and that the Prescription 1000 Injection consisted of a dilute aqueous solution of potassium permanganate.

Misbranding of the articles was alleged in substance in the libel for the reason that the following statements appearing on the cartons containing the articles and in the circulars accompanying them, regarding the curative and therapeutic effects thereof, (Prescription 1000 Internal, carton) " * * * the most efficient treatment for Gleet and Gonorrhœa * * *," (circular) " * * * For Gonorrhœa, Gleet, Bladder Troubles, Frequent Urination, Inflammation, * * *" (Prescription 1000 Injection, carton) " * * * A companion to our internal treatment used in obstinate cases where immediate results are desired. For gonorrhœa and gleet * * *," (circular) "Prescription 1000 External A companion of Prescription 1000 Internal and is used with it, when convenient, in obstinate cases of Gonorrhœa or Gleet where the patient desires immediate relief," were false and fraudulent, in that the articles did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8542. Misbranding of Knoxit. U. S. * * * v. 10 Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10367. I. S. No. 15738-r S. No. E-1428.)

On May 20, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on or about June 25, 1919, an amended libel, for the seizure and condemnation of 10 dozen bottles of Knoxit, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Beggs Mfg. Co., Chicago, Ill., on or about October 24, 1918, and transported from the State of Illinois into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a perfumed aqueous solution of zinc acetate, hydrastis alkaloids, and glycerin.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the bottles, wholesale carton, retail carton, and circular, regarding the curative and therapeutic effects thereof, to wit, (wholesale carton) "Knoxit Safe, Sure, Guaranteed * * *," (retail carton) " * * * the Great Prophylactic and Gonorrhœa Remedy * * *," (bottle label) " * * * will not cause stricture * * *," (circular) " * * * remedy in the treatment of catarrhal affections of the eye, nose, throat, genito-urinary organs, * * * inflammation, hemorrhoids, ulcers * * * Gonorrhœa in Women. Leucorrhœa (Whites)," were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8543. Misbranding of Big G. U. S. * * * v. 60 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10421. I. S. No. 15746-r. S. No. E-1440.)

On May 23, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on July 24, 1919, an amended libel, for

the seizure and condemnation of 60 bottles of Big G, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, Ohio, on or about July 13, 1918, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine.

Misbranding of the article was alleged in substance in the libel and the amendment thereto for the reason that certain statements appearing on the cartons and bottles containing the article and in the booklet accompanying the article, to wit, (carton) " * * * a remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs * * *," (bottle) " * * * a Non-poisonous Tonic. A Treatment for Unnatural Discharges of the urinary organs, * * * Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," (booklet) " * * * Catarrh—Chronic, of the Head, * * * Inflammation of the Eye * * * Cystitis, Gastritis—Catarrh of the Stomach * * * Hemorrhoids—Piles * * * Gonorrhœa, Stricture, Folliculitis * * * Gonorrhœal Prostatitis, Spermatorrhœa, * * * Bubo, Gonorrhœal Cystitis. * * * As a preventive * * * Leucorrhœa—Whites—Catarrh of the Vagina * * * Gonorrhœa in Women," and certain other venereal diseases, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8544. Misbranding of Osgoods' Special Capsules. U. S. * * * v. 26 Dozen Cartons of Osgoods' Special Capsules. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11014. I. S. No. 2933-r. S. No. W-446.)

On July 22, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 dozen cartons of Osgoods' Special Capsules, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by H. Planten & Son, Brooklyn, N. Y., May 12, and February 4, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of volatile gurgun oil, a phenolic compound, and a sulphurated fixed oil.

It was alleged in substance in the libel that the article was misbranded in violation of section 8, paragraph 3 of the Food and Drugs Act, as amended, for the reason that it was an article which might be used as a drug, and was labeled in part on the cartons, "Osgoods' Special Capsules a valuable remedy for difficult and obstinate cases of Gonorrhœa, Gleet, Urinary Affections, Inflammation of the bladder and all discharges * * * prepared for Osgoods' Drug Stores, Oakland, Cal. * * * a valuable remedy for * * * restoring the healthy condition of the mucous membranes in Gonorrhœa and kindred affections of the Urinary Organs. * * * in chronic and acute Gonorrhœa, Gleet, Cystitis, and Inflammation of the Bladder, stopping discharge in a few days * * *."

On November 8, 1919, Osgood Bros., Oakland, Calif., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered

by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8545. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 1,629 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11879. I. S. No. 14129-r. S. No. E-1921.)

On January 14, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,629 cases, each containing 24 cans of tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Manteca Canning Co., Manteca, Calif., September 10, 1919, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that tomato pulp had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for tomatoes.

Misbranding was alleged for the reason that the statement and design appearing on the label, to wit, "Anderson Brand Tomatoes * * * Anderson Quality Tomatoes," and the cut of a ripe, red tomato were false and misleading and deceived and misled the purchaser into the belief that the article consisted wholly of tomatoes, whereas it contained added tomato pulp. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, tomatoes.

On July 21, 1920, Charles A. Anderson & Co., New York, N. Y., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act, conditioned in part that the product be relabeled by attaching to each panel of the label on each can below the word "Tomatoes" a pastar or sticker containing the words "With Purée From Trimmings."

E. D. BALL, *Acting Secretary of Agriculture.*

8546. Misbranding of Avicol. U. S. * * * v. 8 Dozen Packages of Avicol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12275. I. S. No. 7346-r. S. No. C-1795.)

On March 4, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 dozen packages of Avicol, at Memphis, Tenn., alleging that the article had been shipped by the Burrell-Dugger Co., Indianapolis, Ind., on or about June 24, and October 24, 1919, and transported from the State of Indiana into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "For the Cure & Prevention of all Infectious Diseases of Chickens, Pigeons & Turkeys White Diarrhœa, Cholera, Roup, Colds, Canker, Limberneck, Going Light, Black-Head, Etc. * * * For prevention of all diseases of poultry * * *;" (circular) " * * * to make poultry healthy and keep them healthy * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of tablets composed essentially of potassium bichromate, casein, sugar, starch, and talc.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the cartons and in the accompanying circulars, as aforesaid, regarding the curative and therapeutic effects thereof, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 4, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8547. Adulteration and misbranding of tomatoes. U. S. * * * v. Frank M. Collins. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 12356. I. S. No. 15933-r.)

On September 27, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank M. Collins, Preston, Md., alleging shipment by said defendant, through his agents, W. M. Wright & Son, in violation of the Food and Drugs Act, on or about September 26, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of canned tomatoes which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that water had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Tomatoes," borne on the label attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of tomatoes, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of tomatoes, whereas, in truth and in fact, it consisted in part of added water.

On September 27, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8548. Misbranding of Hobo Kidney and Bladder Remedy. U. S. * * * v. 69 Bottles of Hobo Kidney and Bladder Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12387. I. S. No. 9067-r. S. No. C-1920.)

On April 28, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 69 bottles of Hobo Kidney and Bladder Remedy, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Hobo Medicine Co., Shreveport, La., on or about February 19, 1920, and transported from the State of Louisiana into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous liquid containing plant extractives, potassium nitrate, and benzoic and salicylic acid or their salts.

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the Food and Drugs Act, as amended, in that the following statements, regarding the curative and therapeutic effects thereof, were false and fraudulent: (Carton) " * * *. Kidney and Bladder Remedy * * * Bright's Disease

acute & chronic Cystitis renal & vesical pus or blood in urine. Incontinence, albuminuria & ailments caused from defective (kidney & bladder) elimination * * * One of the greatest alteratives * * * back-ache, persistent headache, dizziness, forgetfulness, weakness, and rheumatism when caused by disordered kidneys, the same being true of inflammation of the bladder * * *."

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8549. Adulteration of canned salmon. U. S. * * * v. 500 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12390 I. S. No. 6509-r. S. No. C-1928.)

On April 30, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases of canned salmon, shipped January 25, 1919, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Southern Alaska Canning Co., Seattle, Wash., and transported from the State of Washington into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Daybreak Brand Chum Salmon * * * Packed by Wiese Packing Co., Dall Island, Alaska."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On June 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8559. Adulteration of milk. U. S. * * * v. John A. Fruit. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 10339. I. S. No. 10471-p.)

On October 9, 1919, the Grand Jurors of the United States within and for the District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in the District Court of the United States for said district against John A. Fruit, Fruit, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on August 17, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water and was filthy.

Adulteration of the article was alleged in the indictment for the reason that added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and water had been substituted in part for milk, which the article purported to be. Adulteration was alleged for the further reason that the article consisted in whole or in part of a filthy animal substance.

On September 14, 1920, the defendant entered a plea of nolo contendere to the indictment, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8551-8600.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 15, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

S551. Misbranding of B-I-F Capsules. U. S. * * * v. 36 Boxes of B-I-F Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10413. I. S. No. 15492. S. No. E-1449.)

On May 27, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 boxes of B-I-F Capsules, remaining unsold in the original unbroken packages at Mount Carmel, Pa., alleging that the article had been shipped by Henry S. Wampole Co., Baltimore, Md., on or about September 23, 1918, and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of balsam of copaiba and oil of cubebs.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the carton containing the article and in the circular accompanying the article, regarding its curative and therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy and relief for clap, gonorrhea, gleet, or any discharge from the urinary organs, to aid in eliminating pus-like discharges, and as warranted to relieve clap in a few days, leaving the parts in a healthy condition, whereas said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8552. Adulteration and misbranding of cocoa. U. S. * * * v. 63 Boxes of Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10678. I. S. No. 6771-r. S. No. C-1323.)

On June 27, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 63 boxes of cocoa, remaining in the original packages at Bloomington, Ill., alleging that the article had been shipped by the National Cocoa Mills, New York, N. Y., on or about March 26, 1919, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa. The Cocoa contained in this package is Positively High Grade * * *."

Adulteration of the article was alleged in substance in the libel for the reason that starch and sugar had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article. Adulteration was alleged for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the statement appearing on the label of the article, "My Own Pure Cocoa," not sufficiently corrected by the inconspicuous statement stamped on said label, to wit, "My own cocoa compound containing cocoa sugar corn starch," was false and misleading and deceived and misled purchasers of the article. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On November 15, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8553. Misbranding of Murphey's Second Summer Remedy. U. S. * * * v. Edward Kirkwood. Plea of guilty. Fine, \$25. (F. & D. No. 10778. I. S. No. 8837-p.)

On October 9, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward Kirkwood, Madisonville, Ky., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about August 3, 1917, from the State of Kentucky into the State of Indiana, of a quantity of an article, labeled in part "Murphey's Second Summer Remedy The Baby's Friend * * * Manufactured only by Murphey Medicine Co., Incorporated, Madisonville, Ky.," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an emulsion consisting essentially of an aqueous mixture containing alcohol, sugar, nonvolatile oil (castor oil), plant material, and traces of peppermint oil and morphine.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons and in a circular contained in the package inclosing the article, falsely and fraudulently represented it to be effective as a treatment for teething, as a treatment, remedy, and cure for second summer complaint and bowel troubles with teething children, and as a cure for flux, when, in truth and in fact, it was not. Mis-

branding was alleged for the further reason that certain statements, to wit, "The Baby's Friend" and "Guaranteed by Murphey Medicine Co., under the Food and Drugs Act, June 30, 1906," borne on the cartons and bottles aforesaid, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a preparation which could be administered to infants with safety to health, and that it conformed with the requirements of the Food and Drugs Act, whereas, in truth and in fact, the article could not be administered to children with safety to health, in that it contained opium which rendered it unsafe to be administered to children, and it did not conform with the requirements of the Food and Drugs Act.

On November 24, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8554. Misbranding of Gray's Ointment. U. S. * * * v. 71½ Dozen Packages of Drug Products. Order by consent for release of product under bond. (F. & D. No. 10837. I. S. No. 6817-r. S. No. C-1364.)

On July 16, 1919, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 71½ dozen packages of drug products, labeled in part "W. F. Gray's Genuine Ointment," at Houston, Tex., alleging that the article had been shipped by W. F. Gray & Co., Nashville, Tenn., on or about April 7, 1919, and transported from the State of Tennessee into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "For Burns, Scalds, Rheumatism, Tic-douloureux, Poisonous Bites of Spiders * * * or from having come in contact with Poisonous Plants; Broken Breasts, Sore Nipples and Carbuncles * * * Fistula * * * Injured Spine, Swellings of all kinds, * * * Sore Throat * * *;" (circular) "For the relief of * * * Ulcers of long or short standing * * * Scrofulous and other Tumors, including White Swellings * * * Old or Fresh Wounds, Gunshot Wounds * * * Swellings and Inflammations of all kinds; Rheumatic and other Pains * * * Scald Head, Tetter on the head or any other part of the body * * * Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds * * * Dog, Snake, Spider, and other Poisonous Bites, Broken Breasts, Sore Nipples * * * Injured Spine, Sore Eyes, Swellings of all kinds * * * Sore Throat * * * Pleurisy and Pneumonia * * * Splint, Wind Galls, Fistula * * * in early stages of Inflammatory Rheumatism and Soreness about the Breast * * * this ointment stands unrivaled * * * in the course of two or three hours the system is thrown into a gentle perspiration and all pain or soreness is rapidly removed * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed essentially of oxid and acetate of lead, linseed oil, a solid fat, beeswax, and a small amount of oil of turpentine.

Misbranding of the article was alleged in substance in the libel for the reason that the labeling appearing on the carton and in the circular contained in each of said cartons, as aforesaid, regarding the curative or therapeutic effect of said drug products or medicine, was false and fraudulent in that said drug or medicine contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 15, 1920, W. F. Gray & Co., Nashville, Tenn., claimant, having entered an appearance, order by consent was entered providing that the product be

released to said claimant upon payment of the costs of the proceedings and the filing of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

8555. Misbranding of Injection Zip. U. S. * * * v. 11½ Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10850. I. S. No. 13306-r. S. No. E-1652.)

On July 18, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen bottles of Injection Zip, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article was shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on or about August 2, and September 12, 1918, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of lead and zinc, with small amounts of opium and berberine, in alcohol and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the bottles and cartons containing the article and in the accompanying circulars, regarding the curative and therapeutic effects thereof, to wit, (bottle) "Injection Zip * * * This injection is an excellent preparation and cannot produce stricture * * *," (carton) "Injection Zip * * *," (circular) "* * * for the treatment of Gonorrhœa, Gleet and Leucorrhœa * * * a tried preparation for the above diseases * * * Ladies troubled with Leucorrhœa will obtain a speedy relief * * *," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8556. Misbranding of Ludlum's Paste. U. S. * * * v. 1½ Dozen Packages of Ludlum's Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10856. I. S. No. 13446-r. S. No. E-1629.)

On July 8, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen packages of Ludlum's Paste, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Williams Mfg. Co., Cleveland, Ohio, on or about December 1, 1917, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba, cubebs, and oil of sassafras in a fatty base.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the circulars accompanying the article,

regarding the curative and therapeutic effects thereof, to wit, "Dr. Ludlum's Paste for Gonorrhœa and Complaints of the Organs of Generation. Dr. Ludlum's Paste for Gonorrhœa * * *," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8557. Misbranding of Texas Wonder. U. S. * * * v. 215 Bottles and 144 Bottles of Texas Wonder. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10867, 10868. I. S. Nos. 7153-r, 7154-r. S. Nos. C-1379, C-1382.)

On July 18 and July 31, 1919, respectively, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 215 bottles and 144 bottles of Texas Wonder, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about May 2, and July 3, 1919, respectively, and transported from the State of Missouri into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, turpentine, guaiac, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the cartons containing the article and the circulars accompanying the same contained certain statements, regarding the curative and therapeutic effect thereof, to wit, (carton) "The Texas Wonder for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular, testimonial of Louis A. Portner) "* * * began using the Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * * his urine contained 40 per cent pus * * * was still using the medicine with wonderful results and his weight had increased * * *," which were false in that the product contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 26, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8558. Adulteration and misbranding of olive oil. U. S. * * * v. 12 Gallon Cans, 18 Half-gallon Cans, and 85 Quart Cans of Olive Oil. Judgment of dismissal. Product released on bond. (F. & D. No. 10901. I. S. No. 2958-r. S. No. W-455.)

On July 30, 1919, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 gallon cans, 18 half-gallon cans, and 85 quart cans of olive oil, consigned by A. Giurlani & Bros., San Francisco, Calif., remaining unsold in the original unbroken packages at Albuquerque, N. M., alleging that the article had been shipped May 21, 1919, and transported from the State of California into the

State of New Mexico, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that Spanish olive oil had been substituted wholly or in part for Italian olive oil, which the article purported to be.

Misbranding was alleged in substance for the reason that the labels on the cans containing the article bore the following statements regarding the contents of said cans, to wit, "Olive Oil Superfine, Gaetano Giurlani Brand, Medaglia D'Oro Esposizioni Internaz Milano Torino, Olio Soprafino Puro D'Oliiva Garantito Sotto Qualunque," which said statements were false and misleading and deceived and misled the purchaser into believing that the contents of said cans were pure Italian olive oil, whereas, in truth and in fact, the contents of the said cans were not pure Italian oil, but were Spanish olive oil.

On November 25, 1919, A. Giurlani & Bros., San Francisco, Calif., having entered an appearance as claimant of the goods and petitioned the court for a dismissal of the cause, and having paid the costs of the proceedings and executed bond in the sum of \$170.70, in conformity with section 10 of the act, it was ordered by the court that the libel be dismissed and that the goods be delivered to said claimant after they had been relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

8559. Misbranding of Gray's Ointment. U. S. * * * v. 71 Dozen Boxes of W. F. Gray's Genuine Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10919. I. S. No. 15545-r. S. No. E-1640.)

On or about August 8, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 71 dozen boxes of W. F. Gray's Genuine Ointment, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by W. F. Gray & Co., Nashville, Tenn., on or about July 19, 1919, and transported from the State of Tennessee into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of linseed oil, saponifiable fat, beeswax, turpentine, and lead salts.

Misbranding of the article was alleged in substance in the libel for the reason that the circular accompanying the package containing the article bore the following statements, regarding the curative and therapeutic effect thereof, to wit, "Gray's Ointment * * * For the relief of Mercurial and other Ulcers of long or short standing; * * * Scrofulous and other Tumors, including White Swellings, Sore Legs * * * Old or Fresh Wounds, Gunshot Wounds, * * * Swellings and Inflammations of all kinds; Rheumatic and other Pains; Scalds and Burns * * * Tetters on the head or any other part of the body; * * * Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds * * * Dog, Snake, Spider, and other Poisonous Bites; Broken Breasts, Sore Nipples. * * * Weak Loins, Limbs, Muscles, Injured Spine, Sore Eyes, Swellings of all kinds; * * * Sore Throat * * * in Pleurisy and Pneumonia, it is unequalled; * * * Wind Galls, Sore Back, Cracked Heel, Fistula, and in fact almost every other External disease that afflicts man or brute. * * * For an Ulcer, Tumor or Eruption * * * In early stages of Inflammatory Rheumatism and Soreness about the Breast * * *," which said statements were false and fraudulent in that the said article did

not contain any of the ingredients or combination of ingredients capable of producing the effect claimed.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8560. Misbranding of Gillen's Cholera Remedy. U. S. * * * v. 8 Cases of Gillen's Cholera Remedy. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11090. I. S. No. 9417-r. S. No. C-1418.)

On August 15, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 cases (6 containing 12 quart bottles each, 2 containing 24 pint bottles each) of Gillen's Cholera Remedy, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Gillen Remedy Co., Atlanta, Ga., on or about March 5, 1919, and transported from the State of Georgia into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Gillen's Hog Remedy for hogs and chickens * * * for hogs when afflicted with cholera * * * as a preventative for cholera and to remove worms and as a general tonic. * * * for fowls when afflicted with cholera, sorehead and roup, and white diarrhœa in little chicks * * * preventative for cholera, sorehead and roup * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of saponified tar oil and sodium sulphate.

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the Food and Drugs Act, as amended, for the reason that the preceding statements, regarding the curative and therapeutic effects thereof, were false and fraudulent.

On September 22, 1920, the United Stock Remedies Co., Atlanta, Ga., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the goods be relabeled according to law.

E. D. BALL, *Acting Secretary of Agriculture.*

8561. Misbranding of olive oil. U. S. * * * v. 15 Gallon Cans, 42 Half-gallon Cans, and 88 Quart Cans of Olive Oil. Judgment of dismissal. Product released on bond. (F. & D. No. 11141. I. S. No. 2965-r. S. No. W-476.)

On August 30, 1919, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 gallon cans, 42 half-gallon cans, and 88 quart cans of olive oil, remaining unsold in the original unbroken packages at Albuquerque, N. M., consigned by A. Giurlani & Bros., San Francisco, Calif., alleging that the article had been shipped on July 5, 1919, and transported from the State of California into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the cans containing the article bore certain state-

ments, to wit, "Olive oil superfine Gaetano Giurlani Brand. Medaglie D'Oro Esposizioni Internaz Milano Torino. Gold Medal Awarded to Gaetano Giurlani, Lucca, Italy. Olio Soprafino Puro D'Oliva. Garantito Soto Qualunque," which said statements, regarding the contents of said cans, were false and misleading and deceived and misled the purchaser into believing that the contents of said cans were pure Italian olive oil of the Gaetano Giurlani brand, which is a pure Italian olive oil, whereas, in truth and in fact, the contents of the said cans were not pure Italian olive oil of the Gaetano Giurlani brand, but were, in fact, Spanish olive oil.

On November 25, 1919, A. Giurlani & Bros., San Francisco, Calif., having entered an appearance as claimant of the goods and petitioned the court for a dismissal of the cause, and having paid the costs of the proceedings and executed bond in the sum of \$221.18, in conformity with section 10 of the act, it was ordered by the court that the libel be dismissed and that the goods be delivered to said claimant after they had been relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

8562. Misbranding of olive oil. U. S. * * * v. 11 Cases of Gallon Cans, 8 Cases of One-half Gallon Cans, and 5 Cases of Quart Cans of Olive Oil. Judgment of dismissal. (F. & D. No. 11174. I. S. No. 2966-r. S. No. W-485.)

On September 16, 1919, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 cases of gallon cans, 8 cases of one-half gallon cans, and 5 cases of quart cans of olive oil, consigned by R. Gerber & Co., Chicago, Ill., remaining unsold in the original unbroken packages at Albuquerque, N. M., alleging that the article had been shipped on or about April 30, May 3, July 13, July 21, and July 25, 1917, and February 11, 1918, and transported from the State of Illinois into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Otimo Brand Virgin Olive Oil Importato Puro Olio D'Oliva Packed for R. Gerber and Co., Chicago, Ill.," and "One gallon net contents," "One-half gallon net contents," or "Net one full quart."

It was alleged, in substance, in the libel that the said cans, being labeled as above set forth, with regard to the contents thereof, were misbranded in that they contained food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, in that they did not contain the amount of oil as set forth on the labels respectively upon the said cans.

On November 4, 1919, R. Gerber & Co., Chicago, Ill., having entered an appearance as claimant of the goods and petitioned the court for a dismissal of the cause, and having paid the costs of the proceedings and executed bond in the sum of \$500, in conformity with section 10 of the act, it was ordered by the court that the libel be dismissed, and that the goods be delivered to said claimant after they had been relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

8563. Misbranding of Prickly Ash, Poke Root, and Stillingia Compound with Iodides. U. S. * * * v. 140 Bottles of Prickly Ash, Poke Root, and Stillingia Compound with Iodides. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11239. I. S. No. 2967-r. S. No. W-487.)

On or about September 16, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture,

filed in the District Court of the United States for said district a libel for the seizure and condemnation of 140 bottles of Prickly Ash, Poke Root, and Stillingia Compound with Iodides, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about July 3, 1919, and transported from the State of Missouri into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Powerful Purifier of the Blood, for Impure Blood, Blotches, Salt Rheum, Sores, Rheumatism, Pimples, Pustules, Scald Head, Ulcerations, Syphilitic Affections, Renovates the System * * * in the purification of the blood and the cleansing of the system * * * of great value in Syphilitic Disorders and Rheumatism * * * highly recommended for treatment of tumors, cancer, rheumatism and diseases arising from impurities of the blood * * * remedy in syphilitic affections * * * in secondary syphilis, scrofula, skin diseases, chronic liver troubles and other complaints * * * in secondary and tertiary syphilis;" (label) " * * * Cleanses the blood, Purifies the System, Strengthens the Muscles, Tones up the System * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of plant extractives, including a laxative drug, potassium iodid, alcohol, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements aforesaid, appearing on the carton and label of the bottle containing the article, regarding its curative and therapeutic effects, were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8564. Adulteration and misbranding of egg noodles. U. S. * * * v. 35 Cases and 24 Cartons of Egg Noodles. Judgment of dismissal. Product released on bond. (F. & D. No. 11649. I. S. No 3486-r. S. No. W-553.)

On December 11, 1919, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 cases and 24 cartons containing retail packages of a product, labeled in part "Six ounces net, Tri-State Brand Egg Noodles Manufactured by Sharp Elliott Mfg. Co., El Paso, Texas," remaining unsold in the original unbroken packages at Las Vegas, N. M., alleging that the article had been shipped on December 24, 1918, and transported from the State of Texas into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that the retail packages purported to contain egg noodles, whereas the contents of said retail packages were not egg noodles, but were plain noodles containing little or no egg, which had been substituted wholly or in part for the article.

Misbranding was alleged in substance for the reason that the labels on the packages containing the articles bore the following statements regarding the contents of said packages, to wit, "Six Ounces Net" and "Tri-State Brand Egg Noodles," which statements were false and misleading and deceived and misled the purchaser thereof into the belief that the contents of the packages were noodles made with eggs, and said packages contained 6 ounces net weight,

whereas, in truth and in fact, the contents of said packages were not egg noodles, but were plain noodles containing little or no egg, and the said packages contained less than 6 ounces. Misbranding was alleged for the further reason that the contents of said packages were an imitation of, and were offered for sale under the distinctive name of, another article. Misbranding was alleged for the further reason that the contents of said packages were not plainly and conspicuously stated in terms of weight or measure.

On May 8, 1920, the Sharp Elliott Mfg. Co., El Paso, Tex., having entered an appearance as claimant of the goods and petitioned the court for a dismissal of the cause and having paid the costs of the proceedings and executed bond in the sum of \$84, in conformity with section 10 of the act, it was ordered by the court that the libel be dismissed and that the goods be delivered to said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

8565. Adulteration and misbranding of oil of birch. U. S. * * * v. 3 Packages of Oil of Birch. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12118. I. S. No. 9643-r. S. No. C-1695.)

On January 23, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 packages of oil of birch, remaining unsold in the original unbroken packages at Cincinnati, Ohio, consigned by Z. B. Buchanan, Hickory, N. C., on December 27, 1919, alleging that the article had been shipped from Hickory, N. C., and transported from the State of North Carolina into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it was sold under a name recognized in the United States Pharmacopœia and differed from the Pharmacopœial standard of strength, quality, and purity, and its own standard of strength, quality, and purity was not plainly stated upon its container, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold. Adulteration was alleged for the further reason that synthetic methyl salicylate had been mixed and packed with, and substituted wholly or in part for, pure oil of birch, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of birch, whereas it was a product consisting in part of oil of birch and largely of synthetic methyl salicylate.

On March 8, 1920, Z. B. Buchanan, Hickory, N. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the goods be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

8566. Misbranding of Pepsa-Laxatone. U. S. * * * v. 7½ Dozen Bottles of Pepsa-Laxatone. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12169, 12170. I. S. Nos. 9001-r, 9000-r. S. Nos. C-1710, C-1711.)

On February 17, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 7½ dozen bottles of Pepso-Laxatone, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Burlingame Chemical Co., Los Angeles, Calif., on or about September 29, and December 4, 1919, and transported from the State of California into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pepso-Laxatone * * * An efficient combination of agents for the permanent relief of habitual Constipation, Gastric Disorders, and Indigestion."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a slightly acid solution containing pepsin, laxative plant extractives, sugar, glycerin, alcohol, water, and volatile flavoring oils. Only traces, if any, of diastase and pancreatin were present.

Misbranding of the article was alleged in substance in the libel for the reason that the preceding statements, regarding the curative and therapeutic effects of the article, were false and fraudulent.

On June 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8567. Misbranding of Texas Wonder. U. S. * * * v. 34 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12239. I. S. No. 9029-r. S. No. C-1824.)

On March 5, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 bottles of an article of drugs, labeled in part "Texas Wonder," at Decatur, Ill., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about January 29, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, turpentine, gualac, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements, to wit, "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel * * * Regulates Bladder Trouble in Children * * *," regarding the curative and therapeutic effect, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8568. Misbranding of Texas Wonder. U. S. * * * v. 3 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12255. I. S. No. 9516-r. S. No. C-1770.)

On March 1, 1920, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Texas Wonder, consigned on or about

February 2, 1920, remaining unsold in the original unbroken packages at Mobile, Ala., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cartons) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (small circular) "In cases of gravel and rheumatic troubles it should be taken every night in 25 drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, turpentine, guaiac, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements on the labels, regarding the curative and therapeutic effects thereof, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8569. Adulteration and misbranding of cottonseed feed. U. S. * * *
v. 300 Sacks of Economy Cotton Seed Feed. Consent decree of
condemnation and forfeiture. Product released on bond. (F. & D.
No. 12257. I. S. No. 16687. S. No. E-1992.)**

On or about March 6, 1920, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 sacks of Economy Cotton Seed Feed, remaining in the original unbroken packages at Petersburg, Va., alleging that the article had been shipped by Lyle & Lyle, Camilla, Ga., on or about January 12, 1920, and transported from the State of Georgia into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that a substance, to wit, crude cottonseed fiber, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly and in part for the article.

Misbranding was alleged in substance for the reason that the labels on the sacks containing the article bore certain statements, regarding the article and the ingredients and substances contained therein, to wit, "Economy Cotton Seed Feed * * * Protein, not less than 36% * * * Fibre, not more than 14%," which statements were false and misleading and deceived and misled the purchaser in that the article was deficient in protein and contained excessive cotton [crude] fiber, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Economy Cotton Seed Feed."

On April 30, 1920, Lyle & Lyle, Camilla, Ga., claimants, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture*

8570. Misbranding of D. D. D. Remedy. U. S. * * * v. 5 $\frac{1}{2}$ Dozen Bottles of D. D. D. Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12262. I. S. No. 13476-r. S. No. E-2011.)

On March 3, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 $\frac{1}{2}$ bottles of D. D. D. remedy, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Williams Mfg. Co., Cleveland, Ohio, on or about February 4, 1920, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a hydroalcoholic solution containing phenol, sassafras, methyl salicylate, salicylic acid, and chloral.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the cartons, bottles, and accompanying circulars, regarding the curative and therapeutic effects thereof, to wit, (carton) "D. D. D. Remedy for Eczema and Diseases of the Skin and Scalp, Eczema, Psoriasis, Pimples, Tetter, Salt Rheum, Dandruff, Ivy Poison, Hives, Itching Piles * * * Itch, Barber's Itch, Dermatitis, Herpes, Sycosis," (bottle) "D. D. D. Prescription for the Skin and Scalp," (circular) "* * * Acne * * * Nettlerash * * * Plant Poison," also testimonials representing the preparation as a treatment or cure for "any of the many skin diseases," the "worst cases of skin diseases," "something like a cancerous growth," barber's itch, ichthyolol [ichthyosis], psoriasis, and scrofula, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8571. Misbranding of Avicol. U. S. * * * v. 70 Packages, 25-Cent Size, and 10 Packages, 50-Cent Size, of Avicol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12274. I. S. No. 9638-r. S. No. C-1794.)

On or about March 6, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 packages, 25-cent size, and 10 packages, 50-cent size, of Avicol, consigned by the Burrell-Dugger Co., Indianapolis, Ind., September 29, 1919, remaining unsold in the packages at Cincinnati, Ohio, alleging that the article had been shipped from Indianapolis, Ind., and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Stops chicks dying * * * For White Diarrhea. Cholera. Roup, etc.;" (package label) "For the Cure & Prevention of all Infectious Diseases of Chickens, Pigeons & Turkeys * * * Colds, Canker, Limberneck, Going Light, Black-Head * * * For Prevention of all diseases of poultry * * *;" (circular) "* * * to make poultry healthy and keep them healthy * * * Blackhead in Turkeys * * * a powerful bowel regulator, internal antiseptic * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium bichromate, casein, sugar, starch, and talc in tablet form.

Misbranding of the article was alleged in substance in the libel for the reason that the carton, label, and circular bore and contained statements, as aforesaid, regarding the curative or therapeutic effect of the article, which were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On May 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8572. Adulteration and misbranding of cottonseed meal. U. S. * * * v. United Oil Mills, a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12345. I. S. No. 11965-r.)

At the April, 1920, term of the United States District Court, within and for the Eastern District of Arkansas, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the United Oil Mills, a corporation, Arkadelphia, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 12, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.55 per cent of nitrogen, equivalent to 34.72 per cent of crude protein. Microscopic examination showed that it contained excessive cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that cottonseed hulls had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Cotton Seed Meal Guaranteed Analysis * * * Protein 36.00%, * * * Equivalent Nitrogen 5.75% Made from pressed cotton seed," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article consisted wholly of cottonseed meal, that it contained not less than 36 per cent of protein and not less than 5.75 per cent of equivalent nitrogen, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of cottonseed meal, that it contained not less than 36 per cent of protein and not less than 5.75 per cent of equivalent nitrogen, whereas, in truth and in fact, the article did not consist wholly of cottonseed meal, but consisted in part of cottonseed hulls, and it contained less than 36 per cent of protein and less than 5.75 per cent of equivalent nitrogen.

On September 10, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8573. Adulteration of canned salmon. U. S. * * * v. 80 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12380. I. S. No. 11664-r. S. No. C-1915.)

On April 24, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district a libel for the seizure and condemnation of 80 cases of canned salmon, at Laredo, Tex., alleging that the article had been shipped by the Coast Fish Co., Anacortes, Wash., on or about January 26, 1920, and transported from the State of Washington into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Antler Brand Chum Salmon distributed by Kelley-Clarke Co., * * * Seattle, Wash."

It was alleged in substance in the libel that the article was adulterated by being filthy, decomposed, and putrid.

On May 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8574. Misbranding of National Hog Powder. U. S. * * * v. 1 Bag (100 lbs.) of National Hog Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12385. I. S. No. 7367-r. S. No. C-1913.)

On May 3, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 bag (100 lbs.) of National Hog Powder, remaining in the original unbroken packages at a point $2\frac{1}{2}$ miles east of Glenwood, Ind., consigned February 12, 1920, alleging that the article had been shipped by the National Livestock Remedy Co., Englewood (Chicago), Ill., and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bag) " * * * Made only by National Live Stock Remedy Co. Chicago, Ill.," (direction sheet in bag) " * * * Swine plague * * * can be prevented by the use of National Hog Powder * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium sulphate, ferrous sulphate, charcoal, sulphur, sand, and organic material.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements, appearing upon and in the bag and accompanying direction sheet, were false and fraudulent in that the article did not have the curative and therapeutic effects claimed for it.

On June 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8575. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 678 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12391. I. S. No. 663-r. S. No. E-2080.)

On May 3, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 678 cases, containing 24 cans each, of canned tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Cooperative Canneries, San Jose, Calif., October 24, 1919, and transported from the State of California into the State of New York, and charging adulteration and misbranding in

violation of the Food and Drugs Act. The article was labeled in part, "Cock O' The Walk Tomatoes with added tomato juice * * *" (design of red ripe tomato).

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, tomato pulp, had been mixed and packed with, and substituted wholly or in part for, tomatoes.

Misbranding was alleged in substance for the reason that the statement "Tomatoes with added tomato juice" and the design of a ripe tomato on the cans, and the statement "Standard Tomatoes" on the shipping cases, regarding the article and the ingredients and substances contained therein, were misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, canned tomatoes.

On September 21, 1920, Silas A. Birdsong, Thomas H. Birdsong, and George F. Birdsong, trading as Birdsong Bros., New York, N. Y., claimants, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$600, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department as "Tomatoes with added Tomato Puree."

E. D. BALL, *Acting Secretary of Agriculture.*

8576. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 11 Dozen Bottles, 4 Dozen Bottles, 59 Dozen Bottles, and 11 Dozen Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12409, 12410, 12412, 12413. I. S. Nos. 13074-r, 13077-r, 13083-r, 13079-r. S. Nos. E-2116, E-2118, E-2120, E-2121.)

On May 17 and May 24, 1919, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 11 dozen bottles of Gauvin's Cough Syrup, at Portland, Me., and 4 dozen bottles, 59 dozen bottles, and 11 dozen bottles of Gauvin's Cough Syrup, at Biddeford, Me., consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages, alleging that the article had been shipped October 8, October 17 (2 shipments), and October 20, 1919, respectively, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark, spruce gum, sugar, alcohol and water.

Misbranding of the article was alleged in substance in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (bottle) "* * * For * * * 'La-Grippe', Whooping Cough and all affections of the Throat and Lungs," (carton) "* * * for * * * all Throat and Pulmonary Diseases * * * all Diseases of the Respiratory Organs * * *," (circular) "* * * Successfully used in all affections of the Throat, Bronchi and Lungs * * * in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption * * * Tuberculosis * * * ailments of the Chest * * * Spasmodic Coughs * * * for treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Hoarseness * * * Epidemic Grippe * * * Diseases of the Chest * * *

Gastric Disorders," (wholesale carton) "* * * for Pulmonary Diseases * * * Affections of the * * * Bronchial Tubes and Lungs * * *," which were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the effects claimed.

On June 16, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8577. Misbranding of Texas Wonder. U. S. * * * v. 2 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12515. I. S. No. 9523-r. S. No. C-1838.)

On March 20, 1920, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen bottles of Texas Wonder at Mobile, Ala., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on February 14, 1920, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, turpentine, gualac, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that on the cartons containing the article and in a small circular accompanying the same appeared certain statements regarding the curative and therapeutic effects thereof, to wit, (cartons) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular, headed "Read Carefully") "In cases of gravel and rheumatic troubles it should be taken every night in 25 drop doses until relieved," which were false and fraudulent, as the article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On July 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8578. Misbranding of Texas Wonder. U. S. * * * v. 132 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12542. I. S. No. 9527-r. S. No. C-1878.)

On April 8, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 132 bottles of Texas Wonder, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about February 28, 1920, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, turpentine, gualac, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the carton containing the article and in the circular accompanying the same, regarding the curative and therapeutic

effects thereof, to wit, (carton) " * * * A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children * * *" (circular, headed "Read Carefully") "In cases of gravel and rheumatic troubles it should be taken every night in 25 drop doses until relieved," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8579. Misbranding of Sirop D'Aniz (Sirup of Anise). U. S. * * * v. 3 Dozen, 23, 112, 28, and 9 Dozen Bottles of Sirop D'Aniz. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12788, 12789, 12790, 12791, 12792. I. S. Nos. 1202-r, 1204-r, 1213-r, 1207-r, 1209-r. S. Nos. E-2298, E-2299, E-2300, E-2301, E-2302.)

On June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5 dozen, 23, 112, 28, and 9 dozen bottles of Sirop D'Aniz, consigned by J. A. E. Gauvin, Lowell, Mass., remaining in the original unbroken packages at Rumford, Sanford, and Westbrook, Me., alleging that the article had been shipped on or about October 10 (2 shipments), October 9, 1919, March 18, 1920, and October 17, 1919, respectively, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, to wit, (all consignments, bottle label) "For babies * * * highly recommended in cases of Colic, Dysentery, Sleeplessness, and painful dentition * * * Diarrhoea * * *," (wrapper) " * * * Infantile Colics * * *," (circular) " * * * colds and chills (refroidissements) * * * for babies and children when dentition is painful and when wanting sleep," which were false and fraudulent in that said article contained no ingredient or ingredients capable of producing the effects claimed.

On July 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8580. Adulteration of milk. U. S. * * * v. Francis E. McMichael. Colateral of \$25 forfeited. (F. & D. No. 577-C.)

On August 28, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said district, filed in the Police Court of the district aforesaid an information against Francis E. McMichael, Nokesville, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on July 24, 1920, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain valuable constituent thereof, to wit, butter fat, had been in whole or in part removed therefrom.

An August 28, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

8581. Misbranding of Meyer's Red Diamond Kidney Tablets and Meyer's Red Diamond Compound Extract of Sarsaparilla with Iodide of Potassium. U. S. * * * v. Meyer Bros. Drug Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 9716. I. S. Nos. 12101-p, 12102-p.)

On September 9, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Meyer Bros. Drug Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 16, 1918, from the State of Missouri into the State of Illinois, of quantities of two articles of drugs, labeled in part "Meyer's Red Diamond Kidney Tablets" and "Compound Extract of Sarsaparilla with Iodide of Potassium," which were misbranded.

Analysis of a sample of the kidney tablets by the Bureau of Chemistry of this department showed that they contained salts of benzoic and boric acids, atropine, and vegetable extractives, among which were those of buchu and hydrangea. The extract of sarsaparilla consisted essentially of a sirup containing caramel, vegetable extractives, among which were those of glycyrrhiza, and probably sarsaparilla, small amounts of potassium iodid, ferric chlorid, and alcohol.

Misbranding of the kidney tablets was alleged in substance in the information for the reason that the statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the label of the bottle, falsely and fraudulently represented them to be effective as a treatment, remedy, and cure for diseases of the kidneys, liver, and urinary organs, lumbago, rheumatism, Bright's disease, diabetes, gravel, catarrh of the bladder, and kindred diseases, when, in truth and in fact, they were not. Misbranding of the extract of sarsaparilla was alleged in substance for the reason that the statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the label of the carton, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for pimples, pustules, tetter, or salt rheum, blotches, tumors, boils, ring worm, ulcers, scrofula, syphilis, and chronic rheumatism, as a remedy for all diseases of the skin and blood and mercurial diseases, and as a blood purifier, when, in truth and in fact, it was not.

On November 10, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8582. Adulteration and misbranding of Salol Compound and Methylene Blue Compound. U. S. * * * v. 46 Boxes of Salol Capsules and 44 Boxes of Methylene Blue Compound Capsules. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 10085. I. S. Nos. 6199-r, 7927-r. S. No. C-1165.)

On April 24, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the Dis-

strict Court of the United States for said district libels for the seizure and condemnation of 46 boxes of Salol Compound Capsules and 44 boxes of Methylene Blue Compound Capsules, remaining unsold in the packages at Cincinnati, Ohio, consigned by the Evans Drug Mfg. Co., Greensburg, Pa., January 16, 1919, alleging that the articles had been transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, "Salol Compound R—Balsam Copaiba 10 minims Oleoresin Cubebs 5 minims Salol $3\frac{1}{2}$ grains Pepsin, Aseptic 1 grain, Evans Drug Mfg. Co., Inc., Greensburg, Pa." and "Methylene Blue Compound R—Oil Santal $1\frac{1}{2}$ min. Copaiba Para $1\frac{1}{2}$ min. Oil Cinnamon $1\frac{1}{2}$ min. Methylene Blue 1 gr. * * * Methylene Blue Comp.-Horwitz 5 min."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the average total content of the Salol Compound Capsules was 22.1 minims, at least 50 per cent of which consisted of cottonseed oil, and that the average total content of 100 capsules of Methylene Blue Compound was 4.05 minims, and that at least 50 per cent of the contents consisted of cottonseed oil.

Adulteration of the articles was alleged in the libels for the reason that their strength and purity fell below the professed standard under which they were sold.

Misbranding was alleged in substance for the reason that the statements on the labels, "R—Balsam Copaiba 10 minims Oleoresin Cubebs 5 minims Salol $3\frac{1}{2}$ grains, Pepsin, Aseptic 1 grain" and "R Oil Santal $1\frac{1}{2}$ min. Copaiba Para $1\frac{1}{2}$ min. Oil Cinnamon $1\frac{1}{2}$ min. Methylene Blue 1 gr. * * * Methylene Blue Comp.-Horwitz 5 min.," were false and misleading, since cottonseed oil had been substituted in part for the ingredients named as aforesaid, and also with respect to the Methylene Blue Compound, in that the capsules contained materially less than 5 minims each. Misbranding was alleged for the further reason that the articles were imitations of, and offered for sale under the names of, other articles, namely, articles of the compositions specified upon the labels, as aforesaid.

On September 19, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8583. Adulteration of canned salmon. U. S. * * * v. 1,465 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11907. I. S. No. 3429-r. S. No. W-570.)

On or about February 9, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,465 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Tenakee Fisheries Co., from Tenakee Inlet, Alaska, on or about December 3, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, on the case, "4 Doz. Talls Monogram Alaska Pink Salmon."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 3, 1920, the Tenakee Fisheries Co., Seattle, Wash., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, the bad portion to be destroyed and the good portion to be released to the claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

8584. Adulteration of canned salmon. U. S. * * * v. 2,680 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11938. I. S. Nos. 3075-r, 3401-r. S. No. W-575.)

On or about February 11, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,680 cases of canned salmon, remaining in the original unbroken packages, at Seattle, Wash., alleging that the article had been shipped by the Tenakee Fisheries Co., from Tenakee Inlet, Alaska, on or about October 12, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part on the case, "48 1 L Tails Bugle Brand Choice Pink Salmon."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 2, 1920, the Tenakee Fisheries Co., Seattle, Wash., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$12,500, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, the bad portion to be destroyed and the good portion to be released to the claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

8585. Misbranding of cottonseed cake. U. S. * * * v. Merchants and Planters Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 12000. I. S. No. 5943-r.)

On August 31, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Merchants & Planters Oil Co., a corporation, Houston, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 12, 1918, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part, "Texoma Brand Prime Cotton Seed Meal and Cake."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 39.88 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the following statement, to wit, "Protein not less than 43%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43 per cent of protein, and for

the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, whereas, in truth and in fact, it contained less than 43 per cent of protein.

On September 27, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8586. Misbranding of cottonseed cake. U. S. * * * v. Charles A. Alling (Pine Bluff Cotton Oil Co.). Plea of guilty. Fine, \$25. (F. & D. No. 12003. I. S. No. 19435-p.)

At the April, 1920, term of court within and for the Eastern District of Arkansas the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against Charles A. Alling, trading as the Pine Bluff Cotton Oil Co., Pine Bluff, Ark., alleging shipment by said defendant, in the name of L. C. Campbell & Co., in violation of the Food and Drugs Act, on or about February 23, 1918, from the State of Arkansas into the State of Missouri, of a quantity of cottonseed meal which was misbranded. The article was labeled in part "Silo Brand Cotton Seed Cake."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.48 per cent of total nitrogen, equivalent to 6.65 per cent of ammonia and 34.21 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the following statement, to wit, "Ammonia not less than 7½%, Protein not less than 38.50%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 7½ per cent of ammonia and not less than 38.50 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 7½ per cent of ammonia and not less than 38.50 per cent of protein, whereas, in truth and in fact, it contained less ammonia and protein.

On September 27, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8587. Misbranding of cottonseed cake. U. S. * * * v. Planters Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 12108. I. S. No. 12037-r.)

On August 31, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Cotton Oil Co., a corporation, Navasota, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 7, 1919, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part, "Texas Brand Cotton Seed Cake * * * 100 Pounds Net."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 38.97 per cent of crude protein and 13.22 per cent of crude fiber. Weighing showed an average shortage in net weight of 2.47 pounds per sack.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Shippers Guaranteed Analysis: Protein not less than

43% * * * Crude Fibre not more than 12% " and " 100 Pounds Net," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 43 per cent of protein and not more than 12 per cent of crude fiber, and that each of the sacks contained 100 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 43 per cent of protein and not more than 12 per cent of crude fiber, and that each of the sacks contained 100 pounds net of the article, whereas it contained less than 43 per cent of protein and more than 12 per cent of crude fiber, and each of the sacks contained less than 100 pounds of the article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 27, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8588. Adulteration and misbranding of canned tuna fish. U. S. * * * v. 1,142 Cases * * * of Canned Tuna Fish. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12115. I. S. Nos. 1-r, 13994-r. S. No. E-1937.)

On January 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,142 cases, containing a product purporting to be canned tuna fish, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Stafford Packing Co., Wilmington, Calif., on or about December 5, 1919, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "De Luxe Brand California Striped Tuna * * * Packed by Stafford Packing Co., Wilmington, Calif."

Adulteration of the article was alleged in the libel for the reason that bonito (a fish other than striped tuna fish) had been mixed and packed with, and substituted in part for, striped tuna fish, which the article purported to be.

Misbranding was alleged for the reason that the labels on the packages containing the article bore the statement, viz., "De Luxe Brand California Striped Tuna," which was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "California Striped Tuna Fish."

On May 5, 1920, J. M. McNiece & Co., New York, N. Y., representative of the said Stafford Packing Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant for relabeling under the supervision of this department, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$7,000, in conformity with section 10 of the act, and on July 22, 1920, an amended decree was entered by consent providing for the form of relabeling that should be used.

E. D. BALL, *Acting Secretary of Agriculture.*

8589. Adulteration of canned salmon. U. S. * * * v. 1,097 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12910. I. S. No. 3440-r. S. No. W-614.)

On or about June 15, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,097 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., Seattle, Wash., from Waterfall, Alaska, on or about November 3, 1919, and transported from the Territory of Alaska into the State of Washington, arriving on or about November 3, 1919, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part on the case, "4 Doz. 1 Lb. Tall Seaketch Brand Pink Salmon Packed in Alaska by Alaska Fish Company, Seattle, Washington."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 3, 1920, the Alaska Fish Co., claimant, Seattle, Wash., having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of this department, the bad portion to be destroyed and the good portion to be released to the claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

8590. Misbranding of cottonseed meal. U. S. * * * v. Cuero Cotton Oil Mfg. Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 11212. I. S. No. 5924-r.)

On March 29, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cuero Cotton Oil Mfg. Co., a corporation, Cuero, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 15, 1918, from the State of Texas into the State of Kansas, of a quantity of an article, labeled in part "Chic-Tex Quality" Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 43.19 per cent of protein.

Misbranding of the article was alleged in the information for the reason that it was an imitation of another article, to wit, 48 per cent cottonseed meal, and was offered for sale and sold under the name of said other article, whereas, in fact and in truth, it was 43 per cent cottonseed meal.

On June 30, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8591. Misbranding of Leonard Ear Oil. U. S. * * * v. 40 Bottles of Leonard Ear Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11282. I. S. No. 2658-r. S. No. W-493.)

On September 22, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 40 bottles of Leonard Ear Oil, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by A. O. Leonard, New York, N. Y., August 23, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of camphor, oil of eucalyptus, and traces of alkaloids in a base of mineral oil.

It was alleged in substance in the libel that the article was misbranded in that the following statements, regarding the curative and therapeutic effects thereof, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed, (carton) "A Glandular * * * Oil recommended for relief of Deafness, Head Noises, Discharging, Itching, Scaly Ears * * * and Ear Ache * * * Deafness, * * * and Ear Troubles," (label) "* * * dry, itching, aching and discharging ears," (circular) "* * * for Relief of Catarrhal deafness * * * and other kinds of deafness and ear troubles * * * has relieved the deafness and head noises of more people than any known remedy * * *."

On March 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8592. Misbranding of Pabst's Okay Specific. U. S. * * *. v. 41 Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11506. I. S. No. 17114-r. S. No. E-1841.)

On November 11, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 41 bottles of Pabst's Okay Specific, remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been shipped by the France & New York Medicine Co., New York, N. Y., on or about September 20, 1919, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pabst's O. K. Specific * * * Pabst Chemical Co., Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, cubebs, plant extractives, oil of peppermint, sugar, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchasers thereof in that certain statements regarding the curative or therapeutic effects thereof, appearing in the circular accompanying the article, falsely and fraudulently represented it to be a remedy for gonorrhea and gleet, no matter how long standing, leucorrhea of women, commonly called whites, bladder and kidney affections, chronic seminal and mucous discharges, chronic gonorrhea, and as a cure for the most serious cases of gonorrhea, and the oldest cases of gleet, whereas, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 26, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S593. Adulteration of guava jam. U. S. * * * v. 83 Cases of Guava Jam. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11525. I. S. No. 3226-r. S. No. W-543.)

On November 24, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 83 cases, each containing 2 5-gallon cans, of guava jam, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Matsu Uefugi Co., Honolulu, Hawaii, November 6, 1919, and transported from the Territory of Hawaii into the State of California, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the article was misbranded [adulterated] in violation of section 7 of the Food and Drugs Act, paragraph 6, under food, in that it consisted in whole or in part of a decomposed vegetable substance.

On January 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S594. Misbranding of Noxit. U. S. * * * v. 62 Bottles of Noxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11546. I. S. No. 17105-r. S. No. E-1844.)

On December 6, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 62 bottles of Noxit, remaining in the original unbroken packages at Mayaguez, P. R., alleging that the article had been shipped by Frederick F. Ingram Co., Detroit, Mich., on or about September 27, 1918, and transported from the State of Michigan into the State of New York, and reconsigned by G. J. Fajardo, New York, N. Y., to the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Noxit * * * Frederick F. Ingram Company Pharmacists Detroit, Mich."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution containing essentially zinc acetate, opium, berberine, alcohol, glycerin, and water.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchasers thereof in that certain statements appearing in the labeling of the carton, bottle, and accompanying circular, regarding the curative or therapeutic effect thereof, falsely and fraudulently represented the article to be effective for the treatment of gonorrhea, clap, and gleet, whereas, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8595. Adulteration and misbranding of Mothers Brand Pure Flavor of Vanilla and Lemon. U. S. * * * v. 8 Gross Bottles of Mothers Brand Pure Flavor of Vanilla and 4 Gross Bottles of Mothers Brand Pure Flavor of Lemon. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 11565. I. S. Nos. 8378-r, 8379-r. S. No. C-1646.)

On December 23, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 8 gross bottles of Mothers Brand Pure Flavor of Vanilla and 4 gross bottles of Mothers Brand Pure Flavor of Lemon, consigned on or about July 28, 1919, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the articles had been shipped by the National Food Mfg. Co., St. Louis, Mo., arriving on or about August 11, 1919, and transported from the State of Missouri into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, "Mothers Brand Pure Flavor of Vanilla" (or "Lemon") "Guaranteed Fine Quality * * * The National Food Manufacturing Co., St. Louis."

Adulteration of the articles was alleged in substance in the libels for the reason that certain substances other than vanilla or vanilla extract, or lemon or lemon extract, as the case might be, had been mixed therewith so as to reduce, lower, and injuriously affect their quality and strength. Adulteration was alleged for the further reason that dilute vanilla extract or dilute lemon extract, as the case might be, had been substituted wholly or in part for the article.

It was alleged in substance in the libels that the articles were misbranded for the reason that the labels aforesaid on the bottles, regarding the products therein, were false and misleading in that the articles were not the products which they purported to be, and for the further reason that said labels were calculated to deceive and mislead the purchasers thereof in that the articles were represented to be pure vanilla extract or lemon extract, as the case might be, whereas, in fact and in truth, they were diluted vanilla or lemon extract, respectively. Misbranding was alleged for the further reason that the articles were imitations of, and were offered for sale under the names set forth in their respective labels and were not the products named therein.

On June 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8596. Misbranding of Dr. LeGear's Hog Prescription. U. S. * * * v. 75 Cases * * * 221 Pails * * * and 22 Drums * * * of Dr. LeGear's Hog Prescription. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11901. I. S. No. 8257-r. S. No. W-568.)

On January 27, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 cases, each containing 12 packages of 3½ pounds, 221 pails, each containing 25 pounds, and 22 drums, each containing 100 pounds, of Dr. LeGear's Hog Prescription, remaining in the original unbroken packages, at San Francisco, Calif., consigned by the Dr. LeGear Medicine Co., part from Luther, Mo., March 28, 1919, and part from St. Louis, Mo., July 30, 1919, alleging that the article had been transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and

Drugs Act, as amended. The article was labeled in part, "Dr. LeGear's Hog Prescription."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of magnesium sulphate, ferrous sulphate, sodium chlorid, charcoal, American wormwood seed, and mill screenings.

Misbranding of the article was alleged in the libel for the reason that the following statements on the carton label regarding the curative and therapeutic effects thereof were false and fraudulent, as the article contained no ingredients capable of producing the effects claimed: "The Worm Expeller * * * Good for many cases of so-called Cholera in Hogs, such as Diarrhoea, Bowel Troubles, Kidney Worms, etc. For Diarrhoea, Dysentery and other Bowel Troubles resembling Cholera * * * For Kidney Worms of Paralysis To prevent disease."

On March 16, 1920, the Dr. L. D. LeGear Medicine Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceeding and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8597. Adulteration and misbranding of olive oil. U. S. * * * v. Demetrius S. Kourcotas (Union Olive Oil Co.). Plea of guilty. Fine, \$100. (F. & D. No. 12317. I. S. Nos. 7025-r, 7901-r, 7902-r, 11927-r, 11928-r, 12924-r.)

On August 2, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Demetrius S. Kourcotas, trading as the Union Olive Oil Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 13, January 31, and March 3, 1919, from the State of New York into the States of Missouri, Indiana, and Ohio, respectively, of quantities of an article, labeled in part "Finest Quality Table Oil Insuperable Termini Imerese Type Net Contents One Gallon," on or about January 31, and March 3, 1919, from the State of New York into the States of Indiana and Ohio, respectively, of quantities of an article, labeled in part, "Olio Sopraffino Qualita Superiore Olio Finissimo * * * Olive Oil * * * Tripolitania Brand Net Contents Full Gallon," which was adulterated and misbranded, and on or about March 5, 1919, from the State of New York into the State of Massachusetts, of a quantity of an article, labeled in part "Extra Fine Imported Olive Oil Lemnos Brand * * * Net Contents 1 Gallon," which was misbranded.

Analysis of a sample of the article taken from the shipment of March 13, labeled "Table Oil Termini Imerese Type," by the Bureau of Chemistry of this department showed that it consisted of a mixture of corn oil, cottonseed oil, and olive oil. Analyses of samples from the remaining shipments of this article and the article labeled "Olio Sopraffino Tripolitania Brand" showed that they consisted chiefly of cottonseed oil. Examination showed that the article in all shipments was short in volume.

Adulteration of the article was alleged in the information, in each shipment with the exception of the one to Massachusetts, for the reason that cottonseed oil (or in the case of the March 13 shipment of the article, labeled "Table Oil Termini Imerese Type," a mixture composed of corn oil and cottonseed oil) had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article in each shipment, with the exception of the one into Massachusetts, was alleged in substance for the reason that the statements, to wit, "Finest Quality Table Oil Insuperabile," "Termini Imerese Type," and "Net Contents One Gallon," together with the design of an olive tree with natives gathering olives, or "Olio Sopraffino," "Qualita Superiore," "Olio Finissimo," and "Net Contents Full Gallon," together with the designs and devices of Italian flags, shields and medals, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that each of the cans contained 1 gallon net of the article, and with respect to the article labeled "Olio Sopraffino Tripolitania Brand" that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that each of the cans contained 1 gallon net thereof, and, with respect to the article labeled "Olio Sopraffino Tripolitania Brand," that it was a foreign product, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of corn oil and cottonseed oil, or cottonseed oil, and each of said cans did not contain 1 gallon net thereof, but did contain a less amount, and the article labeled "Olio Sopraffino Tripolitania Brand" was not a foreign product, but was a domestic product, to wit, an article produced in the United States of America. Misbranding was alleged with respect to all shipments for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 18, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

8598. Adulteration of canned salmon. U. S. * * * v. 1,940 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12817. I. S. No. 3438-r. S. No. W-611.)

On or about May 29, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,940 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., from Waterfall, Alaska, and transported from the Territory of Alaska into the State of Washington, arriving on or about September 27, 1919, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part on the case, "4 Doz. 1 Lb. Tall Seaketch Brand Pink Salmon Packed in Alaska by Alaska Fish Co., Seattle, Washington."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 3, 1920, the Alaska Fish Co., Seattle, Wash., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$7,500, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, the bad portion to be destroyed and the good portion to be released to the claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

8599. Adulteration of canned salmon. U. S. * * * v. 612 Cases and 36 Tins of Canned Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12851. I. S. No. 3439-r. S. No. W-613.)

On or about June 8, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 612 cases and 36 tins of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., Seattle, Wash., from Waterfall, Alaska, October 16, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part on the case and can, "Seaketch Brand Pink Salmon Packed by Alaska Fish Co., Seattle, Washington."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 3, 1920, the Alaska Fish Co., Seattle, Wash., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, the bad portion to be destroyed and the good portion to be released to the claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

8600. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 14,000 Tablets * * * Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9461. I. S. No. 11357-r. S. No. C-1009.)

On November 20, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14,000 tablets of a product purporting to be aspirin, consigned by the Verandah Chemical Co., Brooklyn, N. Y., October 27, 1918, remaining unsold in the original packages at Steubenville, Ohio, alleging that the article had been transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Acetylsalicylic Acid Tablets 5 Gr. Aspirin The Verandah Chemical Co., Brooklyn, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article contained only a trace of acetylsalicylic acid or aspirin, with a considerable amount of free salicylic acid.

Adulteration of the article was alleged, in substance, in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold.

It was alleged, in substance, that the article was misbranded in that certain statements on the labels of the retail packages containing the article purported that the article contained aspirin, which statements were false and misleading in that it contained little or no aspirin, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, "Aspirin."

On April 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8601-8650.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 15, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8601. Misbranding of C. C. Capsules. U. S. * * * v. 61 Packages of C. C. Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10430. I. S. No. 5898-r. S. No. C-1246.)

On May 23, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 61 packages of C. C. Capsules, consigned by the Evans Drug Mfg. Co., Greensburg, Pa., November 30, 1918, alleging that the article had been shipped from Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of a mixture of copaiba balsam and cubebs.

Misbranding of the article was alleged in substance in the libel for the reason that the packages and boxes containing the article bore certain statements, regarding the curative or therapeutic effect thereof, to wit, "A speedy relief for diseases peculiar to the kidney, bladder and urinary organs, especially gonorrhoea, cystitis, and gleet," which were false and fraudulent in that said article contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed, and in that said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On September 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SG02. Misbranding of Hinkle Capsules. U. S. * * * v. 3 Dozen Packages of Hinkle Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10449. I. S. No. 7785-r. S. No. C-1254.)

On May 29, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of an article of drugs, labeled in part "Hinkle Capsules * * * Manufactured only by the Hinkle Capsule Company, Inc., Mayfield, Ky.," consigned by said company on or about April 5, 1919, alleging that the article had been shipped from Mayfield, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) "Hinkle Capsules * * * For the treatment of Gleet, Leucorrhœa, Kidney and Bladder Affections, Mucous Discharges, Etc.;" (circular) " * * * catarrhal conditions of the urinary organs * * * for the successful treatment of Urinary diseases * * * In affections of the Genito-Urinary organs * * * For the treatment of the more common Kidney and Bladder disorders * * * in the relief of catarrhal condition of the urinary organs in advanced or chronic forms * * * scalding discharge, acute inflammation and irritation of the mucous members, prostate gland * * * Kidney and Bladder Disorders * * * Catarrhal and mucous discharge * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of powdered cubebs and copaiba balsam, with small amounts of cannabis indica, pepsin, and santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the package and label bore and contained the aforesaid statements, regarding the curative or therapeutic effect of said drug, which were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed, and in that said product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On September 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SG03. Misbranding of Injection Zip. U. S. * * * v. 12 Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10531. I. S. No. 6596-r. S. No. C-1276.)

On June 9, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Injection Zip, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on or about October 30, 1918, and transported from the State of Indiana into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act,

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of zinc and lead, berberine, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the bottle and carton containing the article and in the circular accompanying the article falsely and fraudulently represented it to be a tried preparation for gonorrhea, gleet, and leucorrhea for male or female and as a speedy relief for leucorrhea (whites), whereas the article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On July 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8604. Misbranding of Short Stop Injection and Short Stop Capsules. U. S. * * * v. 3½ Dozen Bottles of Short Stop Injection, First Stage, 3½ Dozen Bottles of Short Stop Injection, Second Stage, and 3 Dozen Bottles of Short Stop Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10826. I. S. Nos. 7797-r, 7798-r, 7799-r. S. No. C-1316.)

On or about July 11, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3½ dozen bottles of Short Stop Injection, First Stage, and 3½ dozen bottles of Short Stop Injection, Second Stage, consigned April 19, 1918, and May 1, 1919, respectively, and 3 dozen bottles of Short Stop Capsules, consigned November 7, 1918, all consignments labeled in part, "Prepared by the Massman Chemical Co., Covington, Ky.," remaining unsold at Cincinnati, Ohio, alleging that the articles had been shipped from Covington, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the injection consisted essentially of a dilute aqueous solution of zinc phenol sulphonate, berberine sulphate, a trace of phenol, and a bismuth salt in suspension, and that the contents of the capsules consisted of methylene blue, sodium bicarbonate, and salol.

Misbranding of the articles was alleged in substance in the libel for the reason that the cartons and bottles containing the article and the circulars around the article bore and contained certain statements, regarding the curative or therapeutic effect of said drugs, to wit, (Injection, First Stage) (bottle) " * * * For Male and Female * * * for Gonorrhœa and Gleet Prevents Stricture * * * Tonic antiseptic * * * warranted to relieve the most obstinate cases * * *," (carton) " * * * prevents contagion," (Injection, Second Stage) (bottle) " * * * Prevents stricture * * *," (Capsules) (carton) " * * * for * * * Leucorrhœa, Kidney and Bladder Affections, Chronic Seminal and Mucous Discharges * * * Never Known To Fail. Absolutely Safe * * *," (circular around all) " * * * most obstinate cases relieved * * * Capsules * * * An internal remedy to * * * prevent complications attending Gonorrhœa and Gleet * * * Will prevent and soothe the attending inflammation and keep the disease from becoming chronic. Will prevent the posterior or far-back inflammation, Catarrh and inflammation of the bladder, Scalding or burning in passing water, Retention of urine, Chordee, Swelled Testicles, Gonorrhœal Rheumatism and Bubo. Soothe the inflammation, prevent relapses and keep the disease from becoming chronic * * * Complications and relapse will be prevented and the inflammation entirely relieved * * *," which were false and fraudulent in that said drug

contained no ingredient or combination of ingredients capable of producing the effects claimed in the aforesaid statements, and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On March 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8605. Misbranding of Big G. U. S. * * * v. 5½ Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10833. I. S. No. 15866-r. S. No. E-1636.)

On July 14, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5½ dozen bottles of Big G, remaining unsold in the original packages at Lynchburg, Va., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, Ohio, on or about November 2, 1918, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Big G. * * * A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs;" (bottle) "* * * Unnatural Discharges of the urinary organs * * * Inflamed, Ulcerated, Itching condition of the skin * * *;" (booklet) "* * * Hemorrhoids, Piles * * * Gonorrhœa, Gleet, Stricture * * * Folliculitis * * * Gonorrhœal Prostatitis, Spermatorrhœa * * * Gonorrhœal Cystitis, * * * Balanitis * * * Chordee * * * Leucorrhœa * * * Whites * * * Catarrh of the Vagina, Gonorrhœa in Women."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute solution of borax, berberine, and a small amount of plant extractives.

It was alleged in substance in the libel that the article was misbranded in violation of paragraph 3, section 8 of the Food and Drugs Act, as amended, in that its carton, bottle label, and booklet bore and contained statements, regarding the curative and therapeutic effects thereof and its ingredients and substances, which were false and fraudulent.

On January 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8606. Misbranding of The "3 Days" Cure. U. S. * * * v. 18 Packages of The "3 Days" Cure. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11021. I. S. No. 7303-r. S. No. C-1388.)

On July 31, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 packages of The "3 Days" Cure, remaining unsold in the original packages at Louisville, Ky., alleging that the article had been shipped by The "3 Days" Cure Co., Washington, D. C., November 25, 1918, and transported from the District of Columbia into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The article

was labeled in part, "The '3 Days' Cure * * * The '3 Days' Cure Co., Washington, D. C. * * *."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, capsules for internal use and an injection. The contents of the capsules consisted essentially of powdered cubeb and copaiba balsam, and the injection consisted of a dilute aqueous solution of zinc sulphate and boric acid.

Misbranding of the article was alleged in substance in the libel for the reason that the packages and labels bore and contained false and fraudulent statements relative to the curative and therapeutic properties of the article in venereal diseases, to wit, (wrapper) "The '3 Days' Cure * * * A prompt and reliable remedy for Gonorrhœa and Gleet, Combines internal and local treatment suited to all cases * * * Inflamed Cases * * *," (circular) " * * * This treatment applies to other forms of inflammation with discharge which may appear in the urethral canal * * *," whereas the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8607. Misbranding of "Fruit-a-tives." U. S. * * * v. 55 Packages of "Fruit-a-tives" "Fruit Liver Tablets." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11318. I. S. No. 3030-r. S. No. W-503.)

On or about September 26, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 packages of "Fruit-a-tives" "Fruit Liver Tablets," alleging that the article had been shipped by Fruitatives (Ltd.), Ogdensburg, N. Y., on or about August 20, 1919, and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) (pictorial device showing apparatus being fed different fruits and discharging tablets) " * * * 'Fruit-a-tives' * * * strengthens the stomach and liver * * * stimulates the kidneys; aids in clearing the complexion; tends to purify the blood; tones up the nervous system and refreshes the whole system. The laxative and healing properties of fresh ripe fruit extracted by a special process enhanced by special tonics * * * as pleasant to take as sugared fruits * * * 'Fruit-a-tives' is made from a special extract of concentrated and intensified fruit juice * * * extracted by a special process from oranges, apples, prunes and figs * * * and is a reliable remedy for Constipation and Biliousness * * *;" (sticker on cork) "Made from fresh ripe fruit;" (box) " * * * Tones and sweetens the stomach, relieves * * * Biliousness, Torpid Liver, Recurring Headaches, Dizziness, Backache, Sallow Complexion * * *;" (circular) " * * * an Effective Remedy * * * a Distinctly Remedial Action on the Stomach, Liver, Bowels, Kidneys, Skin and Nervous System * * * has therefore for all the healing powers of large quantities of fruit juice * * * in Chronic Constipation, Indigestion, Biliousness, Kidney irritation, Skin Diseases, Headaches, Sleeplessness, Pelvic pains, Nervous depression and Blood impurity * * * very beneficial * * * Indigestion or Dyspepsia * * * The action of 'Fruit-a-tives' will tend to relieve rheumatism * * * tonic and disinfectant action

on the lining membrane of the intestines. * * * Pelvic Pains or pains around the hips and back * * * Skin Disease * * * Catarrh * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloin, cascara sagrada, quinine, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements on the box label and in the circular, together with a pictorial device on the carton showing apparatus being fed different fruits and discharging tablets, were false and misleading in that they conveyed the impression that "the laxative and healing properties" were due to fruit or fruit extracts, when, in fact, they were not. Misbranding was alleged for the further reason, that the statements aforesaid, regarding its curative and therapeutic effect, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8608. Misbranding of Madame Dean Vaginal Suppositories. U. S. * * * v. 36 Packages and 34 Packages of Madame Dean Vaginal Suppositories. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11417, 11418. I. S. Nos. 8706-r, 8707-r. S. Nos. C-1507, C-1508.)

On or about October 9, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 36 packages and 34 packages of an article of drugs, labeled in part "Madame Dean Vaginal Suppositories," in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about September 2, 1919, and July 16, 1919, respectively, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of suppositories composed essentially of a salt of bismuth, alum, boric acid, tannin, and a trace of powdered plant drug in a cacao butter base.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing on the cartons and containers of the article and in the circular and booklet inclosed in said containers, regarding the curative and therapeutic effects of said drug product, falsely and fraudulently represented it to be effective for the relief of leucorrhea or whites, gonorrheal inflammation, congestion, ulceration, and similar female complaints, vaginitis, vulvitis, leucorrheal discharges, inflammation, congestion, and ulceration of the vagina, gonorrhea, and similar female complaints, whereas said drug product did not contain any ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On November 17, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8609. Misbranding of Dr. Burkhardt's Vegetable Compound. U. S. * * * v. 2½ Dozen Packages and 2½ Dozen Packages of Dr. Burkhardt's Vegetable Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13102, 13103. I. S. Nos. 8577-t, 8578-t. S. Nos. E-2455, E-2457.)

On July 23, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2½ dozen packages, consigned February 24, 1920, and 2½ dozen packages, consigned October 11, 1919, of Dr. Burkhardt's Vegetable Compound, at Baltimore, Md., alleging that the article had been shipped by Dr. W. S. Burkhardt, Cincinnati, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia * * * and all Syphilitic Diseases."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of pills composed essentially of aloes, plant extractives, resins (probably podophyllin), and a small amount of capsicum.

Misbranding of the article was alleged in substance in the libels for the reason that the labeling contained the aforesaid statements, regarding the curative and therapeutic effects of the article, which were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 28, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8610. Adulteration of sardines. U. S. * * * v. 25 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7919. I. S. Nos. 1392-m, 2990-m. S. No. E-771.)

On December 19, 1916, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of sardines, remaining unsold in the original unbroken packages at Alexandria, Va., alleging that the article had been shipped by the Union Sardine Co., Lubec, Me., on or about October 13, 1916, and transported from the State of Maine into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Selected American Sardines J F C Brand."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On January 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8611. Adulteration and misbranding of blackberry phosphate and cherry phosphate. U. S. * * * v. John A. Brenner (Brenner Vinegar Co.). Plea of guilty. Fine, \$75 and costs. (F. & D. No. 8487. I. S. Nos. 11623-1, 11624-1.)

On or about January 24, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture,

filed in the District Court of the United States for said district an information against John A. Brenner, trading as the Brenner Vinegar Co., Marion, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 18, 1915, from the State of Arkansas into the State of Tennessee, of quantities of articles, labeled in part "Brenner's Blackberry" (or "Cherry") "Phosphate * * * Brenner Vinegar Co., Marion, Ark.," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the products had no flavor of blackberry or cherry, and that they were artificially colored and artificially flavored imitations containing very little phosphate and very little, if any, blackberry or cherry.

Adulteration of the articles was alleged in the information for the reason that a substance, to wit, imitation blackberry (or cherry) phosphate, containing only a trace, if any, phosphoric acid or phosphate, artificially flavored and colored, had been substituted in whole or in part for blackberry (or cherry) phosphate, which the articles purported to be, and for the further reason that they were products inferior to blackberry (or cherry) phosphate, to wit, products containing only traces, if any, of phosphoric acid or phosphate, prepared in imitation of blackberry (or cherry) phosphate, artificially flavored and artificially colored with amaranth, so as to simulate the appearance of blackberry (or cherry) phosphate, and in a manner whereby their inferiority to said products was concealed.

Misbranding of the articles was alleged for the reason that the statements, to wit, "Blackberry Phosphate" and "Cherry Phosphate," borne on the kegs containing the articles, regarding the articles and the ingredients and substances contained therein, were false and misleading in that they represented that said articles were blackberry phosphate or cherry phosphate, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the articles were blackberry phosphate or cherry phosphate, whereas, in truth and in fact, they were not, but were products containing only a trace, if any, of phosphoric acid, prepared in imitation of blackberry (or cherry) phosphate, artificially flavored and colored. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 22, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8612. Adulteration of tomato pulp. U. S. * * * v. The Booth Packing Co., a Corporation. Plea of nolo contendere. Fine, \$10 and costs.
(F. & D. No. 8927. I. S. Nos. 2368-p, 3151-p.)

On August 10, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Booth Packing Co., a corporation, having a place of business at Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 18, 1917, from the State of Maryland into the State of New Jersey, and on or about August 21, 1917, from the State of Maryland into the State of New York, of quantities of tomato pulp which was adulterated. The article was labeled in part, "Diamond Brand Tomato Pulp."

Analyses of samples of the article by the Bureau of Chemistry of this department showed the pulp was manufactured from partly decayed tomatoes.

Adulteration of the article in both consignments was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On August 11, 1920, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8613. Misbranding of "Fruit-a-tives." U. S. * * * v. 67 Dozen Packages of "Fruit-a-tives." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 9464. I. S. No. 12538-r. S. No. E-1163.)

On November 25, 1918, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 67 dozen packages (42 dozen large and 25 dozen small) of an article, labeled in part "'Fruit-a-tives' * * * Tablets, Fruitatives Limited, Ogdensburg, N. Y.," remaining unsold in the original unbroken packages at Providence, R. I., alleging that the article had been shipped from Ogdensburg, N. Y., on or about October 19, 1918, and transported from the State of New York into the State of Rhode Island, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloin, cascara sagrada, quinine, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the carton containing the article, to wit, "'Fruit-a-tives' Fruit Liver Tablets * * * The Laxative and Healing Properties of Fresh Ripe Fruit * * * is made from the laxative or liver principle, extracted by a special process from oranges, apples, prunes and figs * * * is made from a special extract of concentrated and intensified fruit juice * * *," on the sticker on cork of bottle, to wit, "Made from Fresh Ripe Fruit," and statements of same tenor on bottle label and in circular accompanying the article, together with pictorial device of apparatus being fed different fruits and discharging tablets of the product, were false and misleading in that they conveyed the impression that the "laxative and healing properties" were due to fruit extracts, when, in fact, they were not. Misbranding was alleged for the further reason that the statement on the carton, to wit, "Antiseptic," was false and misleading in that while quinine, one of the ingredients, might be regarded as an antiseptic, it was not such in the form or dose found in the product, and for the further reason that the statement, to wit, "Harmless," was not corrected by the qualifying statement "When taken as directed," and was false and misleading in that the product was not harmless, but contained an active poison, *nux vomica* (strychnine).

Misbranding was alleged in substance for the further reason that the labeling bore the following false and fraudulent statements, regarding the therapeutic and curative effects of the article, to wit, (carton) "Strengthens the stomach and liver * * * Stimulates the kidneys, tends to purify the blood, tones up the nervous system," (bottle) "Relieves * * * Recurring Headaches, Dizziness, Backache," (circular) "'Fruit-a-tives' is an effective remedy * * * and has a distinctly remedial action on the Stomach, Bowels, Kidneys, Skin and Nervous System. In * * * Indigestion * * * Kidney Irritation, Skin Diseases, Headaches, Backaches, Sleeplessness, Pelvic Pains, Nervous depression and Blood impurity—'Fruit-a-tives' is very beneficial and highly recommended.

* * * Indigestion or Dyspepsia. 'Fruit-a-tives' will materially aid in relieving this disease. * * * Rheumatism. * * * The action of 'Fruit-a-tives' will tend to relieve rheumatism. Catarrh * * * use 'Fruit-a-tives,' whereas the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 29, 1920, the George L. Claffin Co., Providence, R. I., having filed claim and answer, and the case having come up for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

SG14. Adulteration and misbranding of olive oil. U. S. * * * v. 10 Cases of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 9526. I. S. No. 6726-r. S. No. C-1017.)

On December 9, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases (12 gallon cans each) of alleged olive oil, at Chicago, Ill., alleging that the article had been shipped by B. G. Makris, New York, N. Y., June 20, 1918, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled on the cans, "Finest Quality Olive Oil Extra Pure" (picture of olive tree) "Tipo Termini Imerese Italy Sicilia Italia One Gallon Net."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding of the article was alleged in substance for the reason that the statement, to wit, "Olive Oil," borne upon each of the cans containing the article, as aforesaid, was false and misleading in that it purported to set forth that the article consisted of olive oil, and for the further reason that it deceived and misled the purchaser into the belief that the article consisted of olive oil, whereas, in truth and in fact, it contained cottonseed oil; for the further reason that by the statement, to wit, "Tipo Termini Imerese Italy Sicilia Italia," the article purported to be a foreign product, whereas it was a product of domestic manufacture; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of olive oil; and for the further reason that the article was food in package form, and it did not have a statement of the quantity of the contents plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 3, 1920, Anna Belacqua, Chicago, Ill., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

8615. Adulteration of tomato catsup. U. S. * * * v. 200 Cases of * * * Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9609. I. S. No. 6223-r. S. No. C-1032.)

On January 21, 1919, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases of tomato catsup, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by W. H. Dyer, Evansville, Ind., on or about November 8, 1918, and transported from the State of Indiana into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "W. H. Dyer's Own Pack * * * Tomato Catsup."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed vegetable substance.

On May 5, 1920, W. H. Dyer, Evansville, Ind., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8616. Adulteration and misbranding of Velvo Molasses Feed, Supreme Horse Feed, Derby Horse and Mule Feed, Staf-O-Life Horse and Mule Feed, and Virginia Horse and Mule Feed. U. S. * * * v. Edmond F. Schellhaas, John E. Koerner, and George L. Wagner (John E. Koerner & Co.). Pleas of guilty. Fine, \$35. (F. & D. No. 9781. I. S. Nos. 15021-p, 15477-p, 15483-p, 15484-p, 15485-p, 15486-p, 15487-p.)

On October 18, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edmond F. Schellhaas, John E. Koerner, and George L. Wagner, a partnership, trading as John E. Koerner & Co., New Orleans, La., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 25, 1918, from the State of Louisiana into the State of Alabama, of a quantity of Velvo Molasses Feed, which was adulterated, and on or about March 22, 1918, of a quantity of Supreme Horse Feed, on or about March 22 and March 19, 1918, of quantities of Derby Horse and Mule Feed, on or about March 20, 1918, of a quantity of Staf-O-Life Horse and Mule Feed, on or about March 19, 1918, of a quantity of Velvo Molasses Feed, and on or about March 25, 1918, of a quantity of Virginia Horse and Mule Feed, from the State of Louisiana into the State of Mississippi, which were adulterated and misbranded.

Examinations and analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained considerable amounts of rice hulls and more fiber and less protein in certain shipments than indicated on the labeling thereon.

Adulteration of the article in each shipment was alleged in the information for the reason that rice hulls had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding of the Supreme Horse Feed was alleged in substance for the reason that the statement, to wit, "Crude Fibre 12%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented

that the article contained not more than 12 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not more than 12 per cent of crude fiber, whereas, in truth and in fact, it did contain more than 12 per cent of fiber, to wit, 17.97 per cent.

Misbranding of the Derby Horse and Mule Feed was alleged in substance for the reason that the statements, to wit, "Fibre 15.00%" or "Protein 8.00% * * * Fibre 15.00%" and "Horse and Mule Feed * * * Ingredients: Corn, Oats, Rice Bran, Rice Straw, Cottonseed Meal, Ground Grain Screenings, Alfalfa, Molasses and Salt," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not more than 15 per cent of fiber, and in the case of one of the shipments that it contained not less than 8 per cent of protein, and consisted exclusively of the ingredients named on the tags, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that the article contained not more than 15 per cent of fiber, and that it contained not less than 8 per cent of protein, and that it consisted exclusively of the ingredients named on the tags, whereas the article contained more than 15 per cent of fiber, to wit, 19.95 per cent and 22.26 per cent, respectively, of fiber and the shipment of March 19 contained less than 8 per cent of protein, to wit, 6.50 per cent of protein, and it consisted of a mixture composed in part of rice hulls.

Misbranding of the Staf-O-Life Horse and Mule Feed was alleged in substance for the reason that the statements, to wit, "Fibre 15.00%" and "Horse & Mule Feed * * * Ingredients, corn, oats, rice bran, rice straw, cotton seed meal, ground grain screenings, alfalfa, molasses and salt," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not more than 15 per cent of fiber and consisted exclusively of the ingredients named on the tag, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than 15 per cent of fiber, and consisted exclusively of the ingredients named on the tag, whereas it contained more than 15 per cent of fiber, to wit, 16.06 per cent of fiber, and consisted of a mixture composed in part of rice hulls.

Misbranding of the Velvo Molasses Feed in the shipment of March 19, 1918, into Mississippi was alleged in substance for the reason that the statements, to wit, "Protein 8.00% * * * Fibre 15.00%" and "Molasses Feed * * * Ingredients, Corn, Oats, Rice Bran, Rice Straw, Cottonseed Meal, Ground Grain Screenings, Alfalfa, Molasses and Salt," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 8 per cent of protein and not more than 15 per cent of fiber and consisted exclusively of the ingredients named on the label, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of protein and not more than 15 per cent of fiber, and consisted exclusively of the ingredients named on the label, whereas the article contained less than 8 per cent of protein, to wit, 7.50 per cent of protein, and more than 15 per cent of fiber, to wit, 18.37 per cent of fiber, and consisted of a mixture composed in part of rice hulls.

Misbranding of the Virginia Horse and Mule Feed was alleged in substance for the reason that the statements, to wit, "Protein 9% * * * Fibre 12%"

and "Horse and Mule Feed * * * Ingredients: Corn, Corn Bran, Rice Bran, Ground Grain Screenings (From Corn, Oats, Barley), Alfalfa, Molasses, Flax Plant Product and Salt," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 9 per cent of protein and not more than 12 per cent of fiber and consisted exclusively of the ingredients named on the tag, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 9 per cent of protein, not more than 12 per cent of fiber, and consisted exclusively of the ingredients named on the tag, whereas it contained less than 9 per cent of protein, to wit, 7.94 per cent of protein and more than 12 per cent of fiber, to wit, 17.05 per cent of fiber, and consisted of a mixture composed in part of rice hulls.

On September 29, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$35.

E. D. BALL, *Acting Secretary of Agriculture.*

\$617. Adulteration and misbranding of sugar vinegar. U. S. * * * v. Ozark Cider & Vinegar Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 3863. I. S. Nos. 8152-p, 8934-p.)

On July 18, 1919, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ozark Cider & Vinegar Co., a corporation, Siloam Springs, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 20, 1917, from the State of Arkansas into the State of Oklahoma, and on or about October 30, 1917, from the State of Arkansas into the State of Kansas, of quantities of alleged sugar vinegar which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the product consisted largely of artificially colored distilled vinegar or dilute acetic acid.

Adulteration of the article was alleged in the information for the reason that either distilled vinegar or dilute acetic acid artificially colored had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for sugar vinegar, which the article purported to be. Adulteration was alleged for the further reason that the article was a product inferior to sugar vinegar and was artificially colored in a manner whereby its inferiority to sugar vinegar was concealed.

Misbranding was alleged for the reason that the statement "Sugar Vinegar," borne on the labels attached to the barrels containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article was sugar vinegar, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was sugar vinegar, whereas, in truth and in fact, it was not sugar vinegar, but was a product composed in part of either distilled vinegar or dilute acetic acid artificially colored. Misbranding was alleged for the further reason that the article was a product composed in part of either distilled vinegar or dilute acetic acid artificially colored, and was an imitation of, and was offered for sale and sold under the distinctive name of another article, to wit, sugar vinegar.

On December 22, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

SG18. Adulteration and misbranding of oil. U. S. * * * v. 14 1-Gallon Cans, 35 $\frac{1}{2}$ -Gallon Cans, and 28 $\frac{1}{4}$ -Gallon Cans of * * * Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9885. I. S. No. 7904-r. S. No. C-1100.)

On March 13, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 1-gallon cans, 35 $\frac{1}{2}$ -gallon cans, and 28 $\frac{1}{4}$ -gallon cans of oil, remaining unsold in the original unbroken packages at Cincinnati, Ohio, consigned by Crisafulli Bros., New York, N. Y., July 13, and July 20, 1918, alleging that the article had been transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, on the cans: "Finest Quality Table Oil La Migliore Brand Insuperabile," "Corn salad oil compound with" (in inconspicuous type) "Extra Fine" (larger type) "Olive Oil" (still larger type) (picture of olive tree and branch with olives thereon) "Net contents one gallon" (or "one-half gallon" or "one-quarter gallon") "Packed in U. S. A."

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed oil had been mixed and packed therewith, thereby lowering and injuriously affecting its quality and strength, and had been substituted wholly or in part for olive oil, which the product purported to be.

Misbranding was alleged in substance for the reason that the statements, designs, and devices on the cans as aforesaid were false and misleading and deceived and misled the purchaser in that they conveyed the impression that the product was olive oil. Misbranding was alleged for the further reason that the article purported to be a foreign product when, in truth and in fact, it was of domestic origin. Misbranding was alleged for the further reason that the statement of the net contents was not true and correct in that a less quantity of the product was contained in the packages than the net contents declared upon the containers, and the actual quantity of the net contents was therefore not plainly and conspicuously marked upon the outside of the package.

On September 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SG19. Misbranding of Knoxit. U. S. * * * v. 30 Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9887. I. S. No. 6873-r. S. No. C-1102.)

On March 12, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on April 15, 1919, an amended libel, for the seizure and condemnation of 30 dozen bottles of Knoxit, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Beggs Mfg. Co., Chicago, Ill., on or about November 23, 1918, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute solution of zinc acetate and hydrastis in glycerin and water, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the labels of the bottles and cartons, and

in the containers of the article, regarding the therapeutic or curative effect thereof, were false and fraudulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent to the purchaser thereof and create in the minds of purchasers thereof the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective, among other things, as a remedy, treatment, and cure, and as a prophylactic for inflammation of mucous membranes, catarrhal affections of the eye, nose, and throat, hemorrhoids, ulcers, diseases of the eye, nose, throat, gonorrhea, and blennorrhea, whereas, in truth and in fact, it was not.

On November 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8620. Misbranding of Redsules. U. S. * * * v. 6 Dozen Boxes of Redsules. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10333. I. S. No. 2758-r. S. No. W-351.)

On May 14, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen boxes of Redsules, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by H. Planten & Son, 2 dozen boxes each on August 20, 1918, October 18, 1918, and January 20, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Redsules * * * for the treatment of diseases pertaining to The Kidneys, Bladder and Mucous Membranes, originated and manufactured by H. Planten & Son, Inc., Brooklyn, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of copaiba balsam with a small amount of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the carton and in the circular and booklet accompanying the article, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective for the treatment of diseases pertaining to the kidneys, bladder, and mucous membranes, gonorrhea, gleet, urethritis, and catarrh of the bladder, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On October 11, 1919, H. Planten & Son (Inc.), Brooklyn, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8621. Misbranding of "G Zit" Complete-Stearns' and Zit Antiseptics-Stearns'. U. S. * * * v. 30 Dozen Packages of Zit Complete-Stearns' and 120 Dozen of Zit Antiseptics-Stearns'. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10615. I. S. Nos. 7788-r, 7789-r. S. No. C-1296.)

On June 16, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district a libel for the seizure and condemnation of 30 dozen packages of an article of drugs, labeled in part "Zit Complete-Stearns' * * * Stearns-Hollinshead Co. Inc., Portland, Oregon," and 120 dozen packages, labeled in part "Zit Antiseptics-Stearns' * * * Stearns-Hollinshead Co., Inc., Portland, Oregon," remaining unsold in the packages at Cincinnati, Ohio, consigned by said company, February 21, 1917, alleging that the articles had been shipped from Portland, Oreg., and transported from the State of Oregon into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that there were two preparations, bougies and capsules (antiseptics). The bougies were composed of silver nucleinate in a cacao butter base, and the contents of the capsules consisted essentially of copaiba balsam, oleoresin of cubebs, sulphurated linseed oil, and a small amount of plant extractives.

Misbranding of the articles was alleged in substance in the libel for the reason that certain statements contained in the circular, booklet, carton, and label, regarding the curative or therapeutic effect of the drug, to wit, (Zit Complete-Stearns') " * * * for gonorrheal patients to cure yourself. To prevent sexual diseases spreading * * * for gonorrhea * * * chronic prostatitis * * * to avoid stricture * * * to prevent * * * seminal vesiculitis * * *," (Zit Bougies) " * * * destroy the germ of gonorrhea," (Zit Antiseptics-Stearns') " * * * acts on all germ life that may be lodged in the bladder * * *," were false and fraudulent in that said drug contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed, and in that said product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On March 22, 1920, the Stearns-Hollinshead Co., a corporation, Portland, Oreg., claimant, having admitted the facts set forth in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8622. Misbranding of Dr. Sanger's Capsules. U. S. * * * v. 8½ Dozen Cartons of Dr. Sanger's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10829. I. S. No. 15872-r. S. No. E-1637.)

On July 14, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8½ dozen cartons of Dr. Sanger's Capsules, remaining unsold in the original packages at Lynchburg, Va., alleging that the article had been shipped by Edward J. Moore Sons, New York, N. Y., on or about October 26, 1917, and transported from the State of New York into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (carton) "Dr. Sanger's Capsules For Diseases of the Urinary Organs and Bladder," (circular) " * * * Gonorrhoea, Gleet, Bladder Irritations, Retention of the Urine and Leucorrhœa or Whites. * * * destroy the germs deeply imbedded in the mucous membrane of the urethra * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of copaiba balsam, cubebs, santal oil, matico, licorice, and magnesia.

It was alleged in substance in the libel that the article was misbranded in violation of paragraph 3, section 8 of the Food and Drugs Act, as amended, in that the carton and circular bore and contained statements, regarding the curative and therapeutic effects thereof, which were false and fraudulent.

On January 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8623. Misbranding of Bouchard Pills. U. S. * * * v. 6 Dozen Cartons of Bouchard Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11092. I. S. No. 2936-r. S. No. W-461.)

On August 15, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen cartons of Bouchard Pills, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped in part by Samuel E. McCotter Co., New York, N. Y., February 18, 1919, and in part by Martin Rudy, Lancaster, Pa., February 27, 1918, and transported from the States of New York and Pennsylvania into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, pills containing ferrous sulphate, resin, and a small amount of oil of cubebs, and injection tablets composed essentially of zinc sulphate and potassium permanganate.

Misbranding was alleged in substance in the libel for the reason that the article was labeled in part as follows (wrapper and carton) "Bouchard Pills for the relief of Gonorrhoea, Gleet and Diseases of the Urinary Organs * * * Frequently gives relief in primary cases in one to three days * * * The United Medical Company, Lancaster, Pa.," (booklet) "* * * discharges from the genito-urinary passages. * * *," (leaflet) "Bouchard's Injection Tablets * * * Inject * * * three or four times a day * * * and continue taking the Bouchard Pills * * * until all signs of the discharge have disappeared," which statements were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8624. Misbranding of Staf-C-Life and Coshemo Horse and Male Feed. U. S. * * * v. John E. Koerner and George L. Wagner (John E. Koerner & Co.). Plea of guilty. Fine, \$10. (F. & D. No. 11126. I. S. Nos. 16313-r, 16338-r.)

On March 13, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John E. Koerner and George L. Wagner, trading as John E. Koerner & Co., New Orleans, La., alleging shipment by said defendants, in violation of the

Food and Drugs Act, from the State of Louisiana into the State of Georgia, on or about March 24, 1919, of a quantity of Staf-O-Life Horse and Mule Feed, and on or about February 3, 1919, of a quantity of Coshemo Horse and Mule Feed which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Staf-O-Life feed contained 9.14 per cent of protein and 2.36 per cent of fat, and that the Coshemo feed contained 7.34 per cent of protein, and 1.65 per cent of fat.

Misbranding of the articles was alleged in substance in the information for the reason that the statements on the labels concerning the articles and the constituents thereof, to wit, (Staf-O-Life feed) "Guaranteed Analysis Protein 10.00%, Fat 3.00%," and (Coshemo feed) "Guaranteed Analysis Protein 8.50%, Fat 2.50%," were false and misleading in that they represented to purchasers of the articles that they contained not less than 10 per cent of protein and not less than 3 per cent of fat, and not less than 8.50 per cent of protein and not less than 2.50 per cent of fat, respectively, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchasers thereof into the belief that they contained not less than 10 per cent of protein and not less than 2.50 per cent of fat, and not less than 8.50 per cent of protein and not less than 2.50 per cent of fat, respectively, whereas, in fact and in truth, the articles contained less protein and less fat than declared.

On September 28, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

8625. Misbranding of cottonseed cake. U. S. * * * v. Harry W. Sheckley, William O. Thompson, Cecil O. Phillips, Herbert E. Wells, and Elliott B. Church (Industrial Cotton Oil Properties). Pleas of guilty. Fine, \$50. (F. & D. No. 11133. I. S. Nos. 2067-r, 2068-r.)

On August 31, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry W. Sheckley, William O. Thompson, and Cecil O. Phillips, of New York, N. Y., Herbert E. Wells, of Columbia, S. C., and Elliott B. Church, of Boston, Mass., trading as the Industrial Cotton Oil Properties, Houston, Tex., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about December 7, and December 17, 1918, from the State of Texas into the State of Colorado, of quantities of cottonseed cake, contained in unlabeled sacks, which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On September 27, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8626. Adulteration of butter. U. S. * * * v. 300 Tabs of Butter. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11146. I. S. No. 7729-r. S. No. C-1399.)

On August 11, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 300 tubs of butter, consigned July 24, 1919, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the F. J. Munn Co., St. Paul, Minn., to Chicago, Ill., and diverted from there to Scranton, Pa., August 2, 1919, having been transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained an excessive quantity of water which has been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that the article was deficient in milk fat and had been further adulterated by substituting therefor a quantity of water or moisture, and for the further reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted therefrom.

On October 3, 1919, the F. J. Munn Co., St. Paul, Minn., claimant, having filed an answer, judgment of condemnation and forfeiture was entered providing for the release of the product to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8627. Misbranding of Red Rose and Sandal Wood. U. S. * * * v. 6 Dozen Packages of Red Rose and Sandal Wood. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11154. I. S. No. 2939-r. S. No. W-479.)

On September 2, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of an article, labeled in part "Red Rose and Sandal Wood," remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Henry S. Wampole Co., Baltimore, Md., January 23, 1919, and transported from the State of Maryland into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Henry S. Wampole's Red Rose and Sandal Wood * * * A Safe Sure and Speedy Remedy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that each package contained two preparations, an emulsion and a "wash." The emulsion consisted essentially of balsam of copaiba, oils of cubeb, santal, nutmeg, and lavender, potassium hydroxid, camphor, ethyl nitrite, gum, alcohol, and water. The wash consisted essentially of zinc chlorid, glycerin, oils of rose and geranium, and water.

It was alleged in substance in the libel that the article was misbranded in that it was labeled in part on the cartons, "* * * A Safe * * * and Speedy Remedy," and on the circulars, "Red Rose Wash and Sandal Wood Emulsion For the Relief and Prevention of Gonorrhœa (Clap), Blenorrhœa (Gleet), Leucorrhœa (Whites), and allied forms of Acute and Inflammatory Mucous Discharges from the Urethra (Urine Canal)," which statements were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8628. Adulteration and misbranding of extract of ginger. U. S. * * * v. 60 Dozen Bottles of Extract of Ginger. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11522. I. S. No. 16371-r. S. No. E-1862.)

On December 13, 1919, the United States attorney for the Eastern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 dozen bottles of extract of ginger, remaining unsold in the original packages at Savannah, Ga., alleging that the article had been shipped by the George H. Nowland Co., Cincinnati, Ohio, August 20, 1919, and transported from the State of Ohio into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Landford Brand Pure Extract Ginger, packed and guaranteed by the George H. Nowland Co., Cincinnati, Ohio, to comply with all Pure Food Laws."

Adulteration of the article was alleged in the libel for the reason that it was a product deficient in ginger extractives and had been packed and labeled and shipped as aforesaid, mixed with substances other than pure extract of ginger, which other substances had been mixed with, and substituted in whole or in part for, ginger extract in the bottles labeled and shipped as aforesaid.

Misbranding was alleged for the reason that the statement on the bottle containing the article, to wit, "Pure Extract Ginger," was false and misleading, and deceived and misled and was intended to deceive and mislead the purchaser thereof, for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that it was food in package form, and the true quantity of the contents of each package was not plainly and conspicuously marked on the outside of the packages.

On January 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8629. Adulteration of black guava jam. U. S. * * * v. 324 Cases of Black Guava Jam. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11585. I. S. No. 2775-r. S. No. W-534.)

On November 8, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 324 cases of black guava jam, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Matsu Uefugi, Honolulu, Hawaii, on or about October 18, 1919, and transported from the Territory of Hawaii into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8630. Adulteration and misbranding of canned tomatoes. U. S. * * *
v. Chino Canning Co., a Corporation. Plea of guilty. Fine, \$30.
 (F. & D. No. 11618. I. S. No. 7040-r.)

On February 3, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Chino Canning Co., a corporation, Chino, Calif., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 25, 1918, from the State of California into the State of Missouri, of a quantity of canned tomatoes which were misbranded. The article was labeled in part, "'Standard' C-C-C Three 'C' Brand Tomatoes Packed by Chino Canning Company, Chino, California, Net Contents 1 Lb. 12 Oz."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an unconcentrated or only very slightly concentrated finely divided tomato pulp or purée, with tomatoes, and that the cans were short weight.

Adulteration of the article was alleged in the information for the reason that a product, to wit, a mixture composed in part of finely divided tomato pulp, or purée, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted for tomatoes, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Standard Tomatoes" and "Net Contents 1 Lb. 12 Oz.," borne on the labels attached to the cans containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was standard tomatoes, and that each can contained not less than 1 pound 12 ounces thereof, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was standard tomatoes, and that each of the cans contained not less than 1 pound 12 ounces thereof, whereas, in truth and in fact, the article was a product, to wit, a mixture composed in part of finely divided tomato pulp, or purée, and each of the cans contained less than 1 pound 12 ounces. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 16, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

8631. Adulteration and misbranding of evaporated apples. U. S. * * *
v. 1,200 Cases of Ensign Brand Fancy Evaporated Apples. Consent
decree of condemnation and forfeiture. Product released on bond.
 (F. & D. No. 11648. I. S. Nos. 3127-r, 3184-r. S. No. W-554.)

On December 2, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,200 cases of an article of food, labeled "Ensign Brand Fancy Evaporated Apples," remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Rosenberg Bros. & Co., from Watsonville, Calif., November 25, 1919, consigned for export to Stockholm, Sweden, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously

affect the quality and strength of the article, and had been substituted in part for said article.

Misbranding was alleged for the reason that the quantity of the contents of the article was not plainly and conspicuously stated on the outside of the cases in terms of weight or measure.

On December 13, 1919, Rosenberg Bros. & Co., San Francisco, Calif., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$10,000, in conformity with section 10 of the act, conditioned in part that the article be properly branded by stating the quantity of the contents of said article on the outside of the cases in terms of weight or measure, and that the apples be properly dried so as to conform to the provisions of the Food and Drugs Act.

E. D. BALL, *Acting Secretary of Agriculture.*

8632. Misbranding of cottonseed meal. U. S. * * * v. Joseph Newburger, Robert L. Taylor, John B. Perry, and James T. Thomas (Marianna Cotton Oil Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 11809. I. S. No. 11981-r.)

On or about January 30, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph Newburger, Robert L. Taylor, John B. Perry, and James T. Thomas, copartners, trading as the Marianna Cotton Oil Co., Marianna, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about January 30, 1919, from the State of Arkansas into the State of Kansas, of a quantity of an article labeled "Good Luck Brand Cotton Seed Meal," which was misbranded.

Forty representative sacks from the shipment averaged 94½ pounds net.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds Gross (99 lbs. Net)," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that each of the sacks contained 99 pounds thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the sacks contained 99 pounds thereof, whereas, in truth and in fact, each of the sacks did not contain 99 pounds of the article, but contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On October 5, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8633. Adulteration and misbranding of wheat bran (brown) shorts and wheat screenings. U. S. * * * v. 350 Sacks of Wheat Bran (Brown) Shorts and Wheat Screenings. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11828. I. S. No. 8205-r. S. No. C-1643.)

On December 22, 1919, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 350 sacks of wheat bran (brown) shorts and wheat screenings, at Clarksville, Ark., alleging that the article had been shipped by the Hoffman Mills Co., Enterprise, Kans., August 14, 1919, and transported from the State of Kansas into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part "100 Lbs. Net Wheat Brown Shorts & Wheat Screenings * * * Manufactured by The Hoffman Mills of The Kansas Flour Mills Company, Enterprise, Kansas."

Adulteration of the article was alleged in substance in the libel for the reason that ground bran had been mixed and packed therewith so as to secure [reduce], lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for the article, and for the further reason that ground bran had been mixed therewith in a manner whereby inferiority was produced [concealed].

Misbranding was alleged in substance for the reason that the article was offered for sale under the distinctive name of another article. It was further alleged in substance that the article was labeled as aforesaid so as to deceive and mislead the purchaser and to represent falsely to the purchaser that the article was in whole or in part composed of and contained the ingredients or food properties and values as set out in the labeling, when, in truth and in fact, it was not.

On May 7, 1920, the Laser Grain Co., Clarksville, Ark., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the goods be relabeled by adding to the label on each sack the words "Re-ground Wheat Bran and Wheat Screenings."

E. D. BALL, *Acting Secretary of Agriculture.*

8634. Adulteration and misbranding of horse and mule feed. U. S. * * * v. 300 Sacks of Look Out Horse and Mule Feed. Consent decree of condemnation and forfeiture. Product released on bond. (E. & D. No. 11867. I. S. No. 576-r. S. No. E-1916.)

On or about January 5, 1920, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 sacks of Look Out Horse and Mule Feed, at Jacksonville, Fla., consigned by the Monarch Mills, Memphis, Tenn., alleging that the article had been shipped on or about November 20, 1919, and transported from the State of Tennessee into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Look Out Horse and Mule Feed Manufactured by Monarch Mills, Chattanooga, Tenn."

Adulteration of the article was alleged in the libel for the reason that substances deficient in protein and fat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding was alleged for the reason that the statements appearing in the labeling, to wit, "Prot. 9 * * * Fat 2," were false and misleading and deceived and misled the purchasers, since the article contained less protein and fat, and for the further reason that the article was an imitation of another article.

On May 26, 1920, the Monarch Mills (Inc.), Memphis, Tenn., claimant, having admitted the allegations of the libel, but having disclaimed responsibility for the misbranding, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that if the article were sold or disposed of under any form of branding, said branding should accurately and correctly describe said product.

E. D. BALL, *Acting Secretary of Agriculture.*

8635. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 280 Cases of Blue Dot Brand Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11881. I. S. No. 9477-r. S. No. C-1681.)

On January 13, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 280 cases, each containing 48 cans, of tomatoes, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Winfield Webster & Co., Vienna, Md., on or about September 16, 1919, and transported from the State of Maryland into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Blue Dot Brand Tomatoes Packed by Winfield Webster & Co., Main Office: Vienna, Md. Factories: Vienna, Md. Rhodesdale, Md."

Adulteration of the article was alleged in the libel for the reason that tomato pulp diluted with from 5 to 10 per cent added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

It was alleged in substance in the libel that the article was labeled as aforesaid in violation of section 8 of the Food and Drugs Act, general paragraph, and paragraphs 1 and 2 under "Food," in that the foregoing labeling was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was sold under the distinctive name of, another article.

On June 3, 1920, Winfield Webster & Co., Vienna, Md., claimant, having entered an appearance and filed its answer to the libel, and the pleadings having been considered by the court, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$870.80, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8636. Misbranding of cottonseed meal. U. S. * * * v. Roberts Cotton Oil Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12005. I. S. No. 6692-r.)

On April 21, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Roberts Cotton Oil Co., Jonesboro, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 18, 1919, from the State of Arkansas into the State of Missouri, of a quantity of an article, invoiced as cottonseed meal, which was misbranded.

Examination of the shipment by the Bureau of Chemistry of this department showed that the sacks were unlabeled.

Misbranding of the article was alleged in the information in that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On June 7, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8637. Misbranding of hominy. U. S. * * * v. 100 Cases and 75 Cases of Empson's Hominy. Judgment of dismissal by consent. Product released under bond. (F. & D. Nos. 11910, 11911. I. S. Nos. 2830-r, 2833-r. S. Nos. W-571, W-572.)

On February 5, 1920, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 100 cases and 75 cases, each containing 24 cans, of Empson's hominy, remaining unsold in the original unopened packages at Raton, N. Mex., and Las Vegas, N. Mex., respectively, alleging that the article had been shipped, respectively, by the Southern Colorado Mercantile Co., Trinidad, Colo., October 22, 1918, and the Empson Packing Co., Longmont, Colo., November 26, 1918, and transported from the State of Colorado into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that each of the cans was labeled "Empson's Ye Olde Fashioned Hominy, Weight of Contents 1 pound 15 ounces," which statements were false and misleading in that they did not correctly state the quantity of the contents therein, such contents being from 7 to 10 per cent less than that marked on the outside of said cans.

On August 20, 1920, the Empson Packing Co., Longmont, Colo., having entered an appearance as claimant of the property, judgment by consent was rendered, and it was ordered by the court that the case be dismissed upon payment of the costs of the proceedings by the claimant and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the cans be re-marked so as to show the true weight of the contents thereof.

E. D. BALL, *Acting Secretary of Agriculture.*

8638. Adulteration of tomatoes. U. S. * * * v. 975 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12177. I. S. No. 9508-r. S. No. C-1756.)

On February 21, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 975 cases of canned tomatoes, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Winfield Webster & Co., Vienna, Md., from Rhodesdale, Md., on or about December 14, 1919, and transported from the State of Maryland into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Blue Dot Brand Tomatoes" (cut of red tomato) "* * * Packed by Winfield Webster & Co., Vienna, Md."

Adulteration of the article was alleged in the libel for the reason that tomato pulp had been mixed and packed with, and substituted wholly or in part for, the article.

On June 3, 1920, Winfield Webster & Co., Vienna, Md., claimant, having entered an appearance and filed its answer to the libel, and the court having given consideration to the same, judgment of condemnation and forfeiture was

entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,022.50, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8639. Misbranding of cottonseed cake. U. S. * * * v. Phoenix Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12292. I. S. No. 6958-r.)

On April 19, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Phoenix Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 28, 1918, from the State of Tennessee into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 37 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein not less than 38.62%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 38.62 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 38.62 per cent of protein, whereas, in truth and in fact, the article did contain less than 38.62 per cent of protein.

On May 22, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8640. Misbranding of goose grease liniment. U. S. * * * v. Goose Grease Co., a Corporation. Tried to the court and a jury. Verdict of guilty. Fine, \$100 and costs. (F. & D. No. 6007. I. S. No. 9635-e.)

On July 27, 1915, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Goose Grease Co., a corporation, Greensboro, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 9, 1912, from the State of North Carolina into the State of Maryland, of a quantity of goose grease liniment which was misbranded. The article was labeled in part, "Rice's G. G. Liniment * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an emulsion of crude petroleum, gasoline, ammonia, and 1.08 grams per 100 cc. of saponifiable fat. Petroleum products constituted the major portion of the oil present.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label of the bottle and cartons, falsely and fraudulently represented it to be effective as a relief for spavin, stifles joints, lameness, and as a cure for sweeten, curbs, founder, mange, swelled legs, thrush, galls, scratches, collar boils, sprains, swellings, and corns, and (in circular) for the cure of all aches and pains, as a cure for rheumatism and rheumatic gout, and for curing all diseases known to horses, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the

statement, to wit, "Goose Grease Liniment," was false and misleading in that it purported and represented that the article was a liniment of which goose grease was the principal constituent, whereas the article contained little, if any, goose grease.

On June 10, 1919, the case having come on for trial before the court and a jury, after the submission of evidence by the Government, the case was given to the jury, which returned a verdict of guilty, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8641. Misbranding of "Potasul" Potash Sulphur Water. U. S. * * * v. Potash Sulphur Springs, Inc., a Corporation. Judgment by default for the Government. Fine, \$50 and costs. (F. & D. No. 8555. I. S. No. 11639-m.)

On or about January 10, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Potash Sulphur Springs (Inc.), a corporation, Hot Springs, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 28, 1916, from the State of Arkansas into the State of Illinois, of a quantity of "Potasul" Potash Sulphur Water, which was misbranded. The article was labeled in part, "'Good Health' Drink Potash Sulphur Water 'Potasul' Potash Sulphur Springs, Inc., Hot Springs, Ark."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the constituents after which the product was named were not the predominating constituents of the water, nor were such constituents the characteristic or distinguishing element of the water.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Potash Sulphur Water," borne on the cases and bottles containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was a water which contained an appreciable amount of potash and sulphur, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained an appreciable amount of potash and sulphur, whereas, in truth and in fact, it was a water which contained only a trace, if any, of potash and sulphur. Misbranding was alleged in substance for the further reason that certain statements regarding the therapeutic or curative effects of the article, appearing on the label of the cases, falsely and fraudulently represented that the article was effective as a cure for diseases of the stomach, bladder, and kidneys, when, in truth and in fact, it was not.

On October 27, 1920, the case having come on for final disposition, and the defendant company having failed to appear, judgment by default was entered, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8642. Adulteration and misbranding of evaporated milk. U. S. * * * v. 50 Cases of Evaporated Milk. Product released on bond. (F. & D. No. 9132. I. S. No. 11924-p. S. No. C-925.)

On or about July 11, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of evaporated milk, at Pine Bluff, Ark., consigned on or about June 24, 1918, alleging that the article had been shipped by the Aviston Condensed Milk Co., from St. Louis, Mo., and transported from the State

of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Our 'Best' Brand Evaporated Milk * * * Aviston Condensed Milk Co., Aviston, Illinois."

Adulteration of the article was alleged in the libel for the reason that partially evaporated milk had been mixed and packed with it so as to lower and injuriously affect its quality and strength, and had been substituted in part for evaporated milk.

Misbranding was alleged for the reason that the article was an imitation of and was offered for sale under the distinctive name of another article, to wit, evaporated milk, and for the further reason, in substance, that the statement on the cases containing the article, to wit, "Evaporated Milk," was false and misleading and deceived and misled the purchaser.

On September 20, 1913, the said Aviston Condensed Milk Co., claimant, having entered an appearance, and the matter having come on for disposition, it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the goods be relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

8643. Misbranding of Knoxit. U. S. * * * v. 6 Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9999. I. S. No. 7911-r. S. No. C-1140.)

On April 3, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of six dozen bottles of an article of drugs, labeled in part "Knoxit The Great Prophylactic * * * Prepared only by Beggs Manufacturing Co., Chicago-Toronto," consigned March 1, 1919, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Knoxit, Safe, Sure. Guaranteed Knoxit in Five Days;" (bottle) "Knoxit The Great Prophylactic;" (circular) "Knoxit * * * a highly efficacious remedy used in the treatment of catarrhal affections of the eye, nose, throat and inflammation of the mucous membranes. It is also beneficial in the treatment of hemorrhoids, ulcers, and cankers * * * For Other Mucous Irritations * * * gonorrhoea or leucorrhoea * * * use Knoxit Globules * * * with Knoxit Injection * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute solution of zinc acetate and hydrastis in glycerin and water, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements regarding the curative or therapeutic effects thereof, appearing upon the label and carton and contained in the circular as hereinbefore set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

On September 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8644. Adulteration and misbranding of condensed milk. U. S. * * * v. Interstate Milk Products Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 10112. I. S. No. 11842-p.)

On July 26, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Interstate Milk Products Co., a corporation, Sparta, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 9, 1918, from the State of Wisconsin into the State of Illinois, of a quantity of condensed milk which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 7.08 per cent of fat and 33.48 per cent of total solids.

Adulteration of the article was alleged in the information for the reason that a valuable constituent, to wit, butter fat, had been in part removed, and for the further reason that an evaporated product made from milk which had been standardized had been substituted in whole or in part for condensed whole milk, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Condensed Milk," borne on the tags attached to the cans containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was condensed milk, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was condensed milk, whereas, in truth and in fact, it was not condensed milk, but was an evaporated product deficient in fat and made from standardized milk. Misbranding was alleged for the further reason that the article was an evaporated product deficient in fat, made from standardized milk, and was offered for sale and sold under the distinctive name of another article, to wit, condensed milk.

On November 13, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, Acting Secretary of Agriculture.

8645. Misbranding of Knoxit. U. S. * * * v. 11½ Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10128. I. S. No. 6176-r. S. No. C-1179.)

On April 29, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen bottles of an article of drugs, labeled in part "Knoxit * * * Prepared only by Beggs Manufacturing Co., Chicago-Toronto," consigned by said company from Chicago, Ill., March 22, 1919, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Knoxit The Great Prophylactic * * *," (carton) "Knoxit * * * for Inflammation of the mucous membranes * * *," (circular) "Knoxit * * * a highly efficacious remedy used in the treatment of catarrhal affections of the eye, nose, throat and inflammation of the mucous membranes. It is also beneficial in the treatment of hemorrhoids, ulcers and cankers * * * gonorrhoea or leucorrhoea * * * use Knoxit Globules * * * with Knoxit Injection."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute solution of zinc acetate and hydrastis, in glycerin and water, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements regarding the curative or therapeutic effects thereof, appearing on the label and carton and contained in the circular as hereinbefore set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

On September 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8646. Misbranding of Pabst's Okay Specific. U. S. * * * v. 54 Bottles of Pabst's Okay Specific. Heard by the court and a jury. Verdict for the Government. Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 10132. I. S. No. 16182-r. S. No. E-1346.)

On May 3, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 54 bottles of Pabst's Okay Specific, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., on or about February 21, 1919, and transported from the State of Illinois into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, on the retail package and bottle and in the wrapper and circular, "Pabst's Okay Specific for Gonorrhea, Gleet, Urethritis and Chronic Mucous Discharges."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba balsam, oil of peppermint, plant extractives, including a laxative drug, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing in and upon the cartons, packages, and bottles, as aforesaid, regarding the curative and therapeutic effects thereof, were false and fraudulent, and were made by the Pabst Chemical Co. knowingly and in wanton disregard of the truth or falsity of the said statements and claims, and with intent to deceive the purchasers of said product.

On June 21, 1920, no claim or appearance having been made and the case having come on for hearing before the court and a jury, after the submission of evidence for the Government, a verdict favorable to the Government was returned, and the court ordered the condemnation and forfeiture of the article and its destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8647. Adulteration and misbranding of rice bran. U. S. * * * v. 170 Sacks of Rice Bran. Heard by the court and a jury. Verdict for the Government. Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 10156. I. S. No. 16229-r. S. No. E-1352.)

On April 13, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 170 sacks of rice bran, remaining in the original unbroken packages at Charleston, S. C., alleging that the article had been shipped by the Benedict Commission Co., New Orleans, La., on or about December 3, 1918, and transported from the State of Louisiana into the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that an excessive quantity of rice hulls had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted for the article.

Misbranding was alleged in substance for the reason that it was labeled "Bran" so as to deceive and mislead purchasers thereof, for the further reason that it was an imitation of, and was offered for sale under the distinctive name of another article, to wit, "Rice Bran," and for further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or numerical count.

On June 21, 1920, no claim or appearance having been made, and the case having come on to be heard before the court and a jury, after the submission of evidence for the Government, a verdict favorable to the Government was returned, and the court ordered the condemnation and forfeiture of the article and its destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8648. Misbranding of Pabst's Okay Specific. U. S. * * * v. 36 Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10183. I. S. No. 5527-r. S. No. C-1197.)

On May 1, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 bottles of Pabst's Okay Specific, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., on or about February 24, 1919, and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba balsam, oil of peppermint, plant extractives, including a laxative drug, sugar, water, and 30.6 per cent by volume of alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that it contained 30.6 per cent of alcohol, and only 24 per cent was declared in the labeling thereof, and for the further reason that certain statements appearing on the label and wrapper, regarding the curative and therapeutic effects thereof, to wit, "Pabst Okay Specific for Gonorrhœa, Gleet, Urethritis and Chronic Mucous Discharges," were false and fraudulent in that said product did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SG49. Adulteration and misbranding of cottonseed meal. U. S. * * *
v. Searcy Oil & Ice Co., a Corporation. Plea of guilty, Fine, \$175
and costs. (F. & D. No. 11052. I. S. Nos. 10689-r, 10690-r, 7005-r, 7522-r,
7524-r.)

On May 6, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Searcy Oil & Ice Co., a corporation, Searcy, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 23, 1918, from the State of Arkansas into the State of Illinois, of a quantity of an article, described in a shipping instruction as "7½% ammonia cottonseed meal," which was adulterated and misbranded, on or about December 16, 1918, from the State of Arkansas into the State of Illinois, and on or about December 12, 1918, from the State of Arkansas into the State of Indiana, of quantities of Butterfly Brand cottonseed meal, on or about December 31, 1918, from the State of Arkansas into the State of Iowa, and on or about December 21, 1918, from the State of Arkansas into the State of Indiana, of quantities of Supreme Brand cottonseed meal which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results: The "7½% ammonia cottonseed meal" contained 7.37 per cent of ammonia. The Indiana shipment of Supreme Brand contained 36.6 per cent of protein and 14.79 per cent of crude fiber. The Butterfly Brand contained 36.2 per cent of protein, 5.77 per cent of fat, and 15.52 per cent of crude fiber. The Illinois shipment of Butterfly Brand contained 37.8 per cent of protein, 5.65 per cent of fat, and 14.8 per cent of crude fiber. The Iowa shipment of Supreme Brand contained 36.4 per cent of protein, 5.46 per cent of fat, and 14.6 per cent of crude fiber.

Adulteration of the article described as "7½% ammonia cottonseed meal" was alleged in the information for the reason that a substance, to wit, cottonseed meal containing less than 7½ per cent of ammonia, had been substituted in whole or in part for "7½% ammonia cottonseed meal" which the article purported to be. Misbranding was alleged in substance for the reason that the article was offered for sale and sold under the distinctive name of another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Misbranding of the remaining articles was alleged in substance in the information for the reason that the following statements, (Butterfly Brand Cottonseed Meal) "Protein 38.60 per cent, Fat 6.00 per cent, Crude Fibre 12.00," (Supreme Brand Cottonseed Meal, Iowa shipment) "Not less than 6.00 per cent of Crude Fat, 38.6 per cent of Crude Protein, not more than 10.00 per cent of Crude Fibre," (Supreme Brand, Indiana shipment) "Protein 38.60% * * * Crude Fibre 12%," borne on the tags attached to the sacks containing the articles, regarding the articles and the ingredients and substances contained therein, were false and misleading in that they represented that the articles contained not less than 38.60 per cent of protein, not more than 10 per cent, or 12 per cent, as the case might be, of crude fiber, and, except in the case of the Indiana shipment of Supreme Brand, 6 per cent of fat, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchasers thereof into the belief that they contained not less than 38.60 per cent of protein, not more than 10 per cent, or 12 per cent, as the case might be, of crude fiber, and, except in the case of the Indiana shipment of Supreme Brand, not less than 6

per cent of crude fat, whereas, in truth and in fact, the articles did not contain 38.60 per cent of protein and 6 per cent of fat, but contained a less amount, and contained more than 10 per cent, or 12 per cent, as the case might be, of crude fiber.

On October 8, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$175 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8650. Misbranding of Knoxit. U. S. * * * v. 7½ Cartons of Knoxit. Consent decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 9838. I. S. No. 6913-r. S. No. C-1090.)

On March 10, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7½ cartons of Knoxit, at Minneapolis, Minn., alleging that the article had been shipped by the Beggs Mfg. Co., from Galewood, Ill., on or about November 12, 1918, and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute solution of zinc acetate and hydrastis in glycerin and water, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the shipping containers, carton, and label of the bottle containing the article and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit, (shipping container) "Knoxit the Great Gonorrhea Remedy. Knoxit * * * Safe, Sure, Guaranteed. Knoxit in Five Days," (carton) "Knoxit the Great Prophylactic and Gonorrhœa Remedy. Relieves in One to Five Days. Guaranteed Not to Cause Stricture," (bottle) "* * * Knoxit is Invaluable for Leucorrhœa or Whites. * * * If Knoxit is used directly after connection it will prevent disease," (circular) "Knoxit, a highly efficacious remedy in the treatment of catarrhal affections of the eye, nose, throat, genito-urinary organs, etc. It is also beneficial in the treatment of inflammation, hemorrhoids, ulcers * * * used with absolute confidence * * * For the Eye * * * Throat * * * Ulcers and Hemorrhoids. * * * For Gonorrhœa * * * Gonorrhœa in Women. * * * Leucorrhœa (Whites)," were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the effects and results claimed.

On August 25, 1919, the Beggs Mfg. Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act. On September 9, 1919, the claimant having failed to give a bond and pay the costs as provided above, an amended decree was entered ordering the destruction of the goods.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8651-8700.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 15, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8651. Misbranding of Knoxit. U. S. * * * v. 432 Bottles of Knoxit. Consent decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 9928. I. S. No. 6923-r. S. No. C-1115.)

On March 19, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 432 bottles of Knoxit, at St. Paul, Minn., alleging that the article had been shipped by the Beggs Mfg. Co., from Galewood, Ill., on or about November 12, 1918, and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of zinc acetate, hydrastis, and glycerin in water, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the shipping containers, carton, and label of the bottle containing the article, and in the accompanying circular, regarding the curative and the therapeutic effects thereof, to wit, (shipping container) "Knoxit The Great Gonorrhœa Remedy Knoxit * * * Safe, Sure, Guaranteed Knoxit in Five Days," (carton) "Knoxit The Great Prophylactic and Gonorrhœa Remedy. Relieves in One to Five Days. Guaranteed not to cause stricture," (bottle) "* * * Knoxit is Invaluable for Leucorrhœa or Whites. * * * If Knoxit is used directly after connection it will prevent disease," (circular) "Knoxit, A highly efficacious remedy in the treatment of catarrhal affections of the eye, nose, throat, genito-urinary organs, etc. It is also beneficial in the treatment of inflammation, hemorrhoids, ulcers, * * *

used with absolute confidence * * * For the Eye, * * * Throat, * * * Ulcers and Hemorrhoids * * * For Gonorrhœa * * * Gonorrhœa in Women. * * * Leucorrhœa (Whites)," were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the effects and results claimed.

On August 25, 1919, the Beggs Mfg. Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act. On September 9, 1919, the claimant having failed to give a bond and pay the costs, as provided above, an amended decree was entered ordering the destruction of the goods.

E. D. BALL, *Acting Secretary of Agriculture.*

8652. Misbranding of cottonseed meal. U. S. * * * v. Corinth Oil & Refining Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 10457. I. S. No. 15410-p.)

On October 8, 1919, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Corinth Oil & Refining Co., a corporation, Corinth, Miss., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 30, 1917, from the State of Mississippi into the State of Michigan, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Farmer Brand 'Straight' Cotton Seed Meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 33.94 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, "Protein (Guaranteed not less than 36 per ct.) 36 to 39 per ct.," borne on the tag attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 36 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein, whereas, in truth and in fact, the article did not contain 36 per cent of protein, but contained a less amount.

On April 5, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

8653. Misbranding of Novita Globules, Novita Capsules, Novita Salve Stainless, and Novita Salve Brown. U. S. * * * v. 2 Boxes Containing 50 Cartons of Novita Globules, 70 Cartons Large and 70 Cartons Small of Novita Capsules, 70 Cartons Large and 70 Cartons Small of Novita Salve Stainless, and 70 Cartons Large and 70 Cartons Small of Novita Salve Brown. Consent decree of condemnation. Product released on bond. (F. & D. No. 10547. I. S. Nos. 2695-r, 2696-r, 2697-r, 2698-r. S. No. W-414.)

On or about June 11, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 boxes of drugs, containing 50 cartons of Novita Globules, 70 cartons large and 70 cartons small of Novita Capsules, 70 cartons large and 70

cartons small of Novita Salve Stainless, and 70 cartons large and 70 cartons small of Novita Salve Brown, consigned by Novita Co., Chicago, Ill., remaining in the original unbroken packages at Denver, Colo., alleging that the articles had been shipped on or about May 17, 1919, and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results: The Novita Salve Stainless consisted essentially of acetate of lead, ammoniated mercury, and a small amount of acetanilid, in a saponifiable fatty base; the Novita Salve Brown consisted essentially of a tannin-bearing drug, a powdered root resembling hydrastis, and a trace of alkaloids, in a saponifiable fatty base; the contents of the capsules consisted essentially of powdered hydrastis and a trace of tannin, in a saponifiable base; and the globules consisted of pills containing essentially potassium nitrate, oil of juniper, arbutin, podophyllin, a powdered leaf drug, starch, and faint traces of alkaloids.

Misbranding of all of said articles was alleged in substance in the libel for the reason that the cartons containing said drugs and the circulars and booklets enclosed in the cartons bore statements regarding the curative and therapeutic effects thereof, to wit, (Novita Globules) (carton) " * * * For kidney and bladder troubles. * * * Specific for kidney and bladder troubles. * * * stimulating the flow of blood in the region of the kidneys thereby assisting these organs in their functions * * *" (circular) "Among the beneficial effects * * * is the revival of activity on the part of the kidneys and bladder * * * overcomes their inaction and averts diseases * * * frees the system of impurities * * *," (Novita Capsules) (cartons, both sizes) " * * * For diseases of the uterine organs * * *," (booklet, both sizes) " * * * Menstrual derangements, suppressed or irregular menstruation, displacements * * * leucorrhea or whites, antiversion * * * all tumors or cancerous formations," (Novita Salve Stainless and Novita Salve Brown) (carton, large size) " * * * A nerve and tissue remedy for external use. Use freely wherever there is pain, diseased tissues, and particularly in ovarian tumor and cancerous affections; for eczema, scrofula, and facial eruptions. * * * especially valuable in nerve trouble * * *," (carton, small size) " * * * wherever there is inflammation, congestion * * * rheumatism, stiffened joints or limbs * * * will bring back vitality and strength to the parts. * * * furnishes nutriment to the body through the medium of the skin," (circular, both sizes) " * * * ulceration of the skin, as in salt rheum, eczema, and inflammation of the lungs, as in croup, bronchitis, pneumonia, pleurisy, inflammation of the stomach, liver, kidneys, bladder, bowels and uterine organs. * * * in cases where the ovaries are diseased, and where the spine or limbs are affected, and whenever there are diseased tissues, foreign matter, stiffening of joints or limbs, * * * where menstruation is painful. * * * weakness of the back, * * * headache or pain, * * * ovarian trouble, prolapsus, derangement of menstruation, or whenever the spine is affected. * * * It will also produce a growth of adipose tissue or fat just beneath the skin, making the form plump and round. For rheumatism," which were false and fraudulent in that no one of said drugs contained any ingredient or combination of ingredients capable of producing the effects claimed.

On April 20, 1920, Herbert H. Gray, Chicago, Ill., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S654. Misbranding of coffee. U. S. * * * v. 63 Cases of Coffee. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10808. I. S. Nos. 6600-r, 7726-r. S. No. C-1325.)

On July 5, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 63 cases of coffee (11 cases of 3-pound packages and 52 cases of 1-pound cans), remaining in the original and unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Thomson & Taylor Spice Co., Chicago, Ill., on or about May 6, and June 10, 1919, and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Leopard Brand Steel Cut Coffee."

Misbranding of the article was alleged in substance in the libel for the reason that the statements as to the net weight of the article were false and misleading in that the 3-pound packages contained less than 3 pounds and the 1-pound packages contained less than 1 pound. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not correctly declared.

On August 2, 1919, the Thomson & Taylor Spice Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S655. Misbranding of C. G. Remedy. U. S. * * * v. 10 Bottles of C. G. Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11011. I. S. No. 8840-r. S. No. C-1384.)

On July 19, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of C. G. Remedy, remaining in the original packages at Springfield, Ill., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about February 17, 1919, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample by the Bureau of Chemistry of this department showed the product to be essentially a solution of zinc salts, boric acid, eucalyptol, phenol, and glycerin, and an unidentified plant extractive.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the label thereof, to wit, "C. G. Remedy for Gonorrhœa and Gleet. * * * For Male and Female * * * This Remedy Produces Prompt Relief * * * B & B C. G. Remedy For the cure and prevention of Gonorrhœa (clap), Blennorrhœa (gleet), Leucorrhœa (whites), and Allied Forms of Acute and Chronic Inflammatory Mucous Discharges from the Urethra (Urine Canal)," were false and fraudulent for the reason that the article would not produce the curative effects asserted in the label.

On September 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8656. Adulteration and misbranding of olive oil. U. S. * * * v. 193 Cases, Gallon Cans, 225 Cases, Half-gallon Cans, 81 Cases, Quart Cans, and 51 Cases, Pint Cans, of Olive Oil. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11022. I. S. No. 2914-r. S. No. W-443.)

On September 24, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 193 cases, gallon cans, 225 cases, half-gallon cans, 81 cases, quart cans, and 51 cases, pint cans, of olive oil, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Strohmeier & Arpe Co., New York, N. Y., June 27, 1919, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Olio D'Oliwa Purissimo Garantito Marca Re Umberto I^o" (picture of King of Italy) " * * * S. M. Umberto I Re D'Italia Re Umberto I^o Brand * * *."

Adulteration of the article was alleged in the libel for the reason that Spanish oil had been substituted wholly or in part for Italian oil.

Misbranding was alleged in substance for the reason that the statements aforesaid were false and misleading and deceived and misled the purchaser into the belief that the product was Italian olive oil, when, in truth and in fact, it was not Italian olive oil, but was Spanish olive oil.

On September 24, 1919, the Strohmeier & Arpe Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$16,500, in conformity with section 10 of the act, conditioned in part that the product be relabeled by stamping on each can in conspicuous type the legend "Product of Spain."

E. D. BALL, *Acting Secretary of Agriculture.*

8657. Misbranding of Gray's Ointment. U. S. * * * v. 23 Dozen, 35 Dozen, and 21 Dozen Boxes of Gray's Ointment. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11087, 11088, 11089. I. S. Nos. 17256-r, 17255-r. S. Nos. E-1667, E-1668.)

On or about August 20, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 23 dozen, 35 dozen, and 21 dozen boxes of Gray's Ointment, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped on or about November 5, 1918, and May 5, 1919, by W. F. Gray & Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was composed essentially of lead salts, linseed oil, beeswax, and turpentine.

Misbranding of the article was alleged in substance in the libels for the reason that the circular accompanying the article bore certain statements, regarding the curative and therapeutic effect thereof, to wit, "Gray's * * * Ointment * * * For the relief of Mercurial and other Ulcers of long or short standing; * * * Scrofulous and other Tumors, including White Swellings, Sore Legs, * * * Old or Fresh Wounds, Gunshot Wounds, * * * Swellings and inflammations of all kinds; Rheumatic and other Pains; Scalds and

Burns * * * Tetter on the head or any other part of the body; * * * Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds * * * Dog, Snake, Spider, and other Poisonous Bites; Broken Breasts, Sore Nipples, * * * Weak Loins, Limbs, Muscles, Injured Spine; Sore Eyes, Swellings of all kinds; * * * sore throat * * * in pleurisy and pneumonia, it is unequalled; * * * Wind Galls, Sore Back, Cracked Heel, Fistula, and in fact almost every other External disease that afflicts man or brute. * * * For an Ulcer, Tumor or Eruption * * * In early stages of Inflammatory Rheumatism and Soreness about the Breast * * *," which were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 15, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8658. Misbranding of cottonseed cake. U. S. * * * v. New Roads Oil Mill & Mfg. Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 12358. I. S. No. 12050-r.)

On or about August 30, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the New Roads Oil Mill & Mfg. Co., a corporation, New Roads, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 24, 1919, from the State of Louisiana into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part, "Chic-Homa Quality Cotton Seed Meal or Cake."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 38.58 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein, Not less than 41%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 41 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 41 per cent of protein, whereas, in truth and in fact, it contained less than 41 per cent of protein.

On August 30, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

8659. Misbranding of Stillwagon's Medicated Stock Food and Stillwagon's Poultry Food. U. S. * * * v. 20 Packages, 30-Cent Size, and 11 Packages, 60-Cent Size, of Stillwagon's Medicated Stock Food, and 18 Packages, 30-Cent Size, and 8 Packages, 60-Cent Size, of Stillwagon's Poultry Food. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12511. I. S. Nos. 9030-r, 9031-r. S. No. C-1832.)

On March 16, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 packages, 30-cent size, and 11 packages, 60-cent size, of Stillwagon's Medicated Stock Food, and 18 packages, 30-cent size, and 8 packages, 60-cent size, of Stillwagon's Poultry Food, remaining in the packages at Decatur, Ill., alleging that the article had been shipped by the Stillwagon

Food Mfg. Co., St. Louis, Mo., on or about January 24, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Stock Food) (carton) " * * * Stillwagon's Food is a sure remedy for all diseases arising from Indigestion and Impure Blood; also a preventative for Hog Cholera * * * To relieve Scours in Calves * * * An Invaluable Remedy in the treatment of diseases peculiar to Horses, such as * * * Farcy, Distemper * * * Founders * * * Bots * * * Diseases of the Kidneys and Urinary Organs * * * and all Diseases arising from Impure Blood * * * In all afflictions of horses such as * * * Pink Eye * * * Impure Blood, etc., * * * Swine Cholera (Piague) * * * As a preventive, feed once or twice a day * * * Cures and prevents disease in horses, cattle, hogs, colts, calves, lambs, and pigs * * *," (circular) " * * * for worms or any other trouble;" (Poultry Food) (carton) "Cures Roup, Gapes and Cholera * * * Cures and Prevents Diseases * * * Gapes in little Chickens or Turkeys. * * *."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the stock food was composed essentially of sulphur, salt, ferrous sulphate, gentian, anise, charcoal, and cottonseed hulls, and that the poultry food was composed essentially of sulphur, salt, ferrous sulphate, capsicum, gentian, iron oxid, and cottonseed hulls.

Misbranding of the articles was alleged in substance in the libel for the reason that the aforesaid statements, contained in the labeling, regarding the curative and therapeutic effects, were false and fraudulent since the articles contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8660. Adulteration of raisins. U. S. * * * v. 1,400 Boxes of Raisins. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11013. I. S. No. 2040-r. S. No. W-444.)

On or about July 23, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,400 boxes of raisins, remaining in the original unbroken packages at Tacoma, Wash., alleging that the article had been shipped by the California Associated Raisin Co., Kingsbury, Calif., June 9, 1919, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ungraded rain damaged muscat raisins."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance, and for the further reason that sand had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength.

On August 1, 1919, P. Pagni and G. Cinelli, copartners, trading as G. Cinelli Co., Tacoma, Wash., having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S661. Misbranding of Gonosan. U. S. * * * v. 12 Dozen Packages, 134 Packages, and 1½ Dozen Packages of Gonosan. Consent decrees of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11366, 11367, 11368. I. S. Nos. 17058-r, 17066-r, 17068-r. S. Nos. E-1723, E-1760, E-1761.)

On October 9, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of Gonosan, remaining in the original unbroken packages, alleging that 12 dozen packages, at San Juan, P. R., had been shipped by Riedel & Co., Inc., New York, N. Y., on or about July 10, 1919, and transported from the State of New York into the Island of Porto Rico, and that 134 packages at San Juan and 1½ dozen packages at Ponce had been offered for sale and quantities sold in the Island of Porto Rico on August 28, and September 2, 1919, respectively, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Gonosan * * * Riedel & Co., New York * * *."

Analyses of samples of the article by the Bureau of Chemistry of this department showed it to consist essentially of oil of sandalwood.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements regarding the curative or therapeutic effect thereof, to wit, (circular, Spanish) "Gonosan * * * the best of balsams in gonorrheal therapeutics * * * makes the acute, scalding pains and violent erections disappear, * * * likewise those manifestations which are accustomed to show themselves in acute gonorrhea * * * in those cases in which inflammation of the bladder is added to them, Gonosan rapidly calms the nerves of same and makes dysuria disappear * * * stop the disease from proceeding to the posterior part of the urethra, providing dietetic prescriptions are observed * * *," were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 20, 1920, Riedel & Co., New York, N. Y., claimant, having consented to a decree without denying the allegations of the libel, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$750, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S662. Misbranding of dairy feed. U. S. * * * v. Sutherland Flour Mills Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11427. I. S. Nos. 16306-r, 18052-r.)

At the April, 1920, term of the District Court of the United States within and for the Eastern District of Illinois, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Sutherland Flour Mills Co., a corporation, Cairo, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 31, 1918, and April 15, 1918, from the State of Illinois into the States of Georgia and Pennsylvania, respectively, of quantities of an article, labeled in part, "Daisy Dairy Feed," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the product contained 8.18 per cent of protein, 0.94 per cent of fat, and 16.51 per cent of crude fiber, and consisted mainly of ground

corn, alfalfa meal, ground screenings, and molasses. It contained no wheat bran or oat feed.

Misbranding of the article was alleged in the information for the reason that the following statements, to wit, "Made from Ground Corn, Wheat Bran, Wheat Screenings, Alfalfa Meal, Oat Feed and Molasses Guaranteed Analysis Protein 13.25 per cent, Fat 3.50 per cent, Fiber 12.50 per cent," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was compounded from the ingredients named on the tag, and that it contained not less than 13.25 per cent of protein and not less than 3.50 per cent of fat, and not more than 12.50 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was compounded from the ingredients named on the tag, and that it contained not less than 13.25 per cent of protein, not less than 3.50 per cent of fat, and not more than 12.50 per cent of fiber, whereas, in truth and in fact, it was not compounded from the ingredients named on the label, but was a mixture which contained no wheat bran or oat feed, and contained less than 13.25 per cent of protein and less than 3.50 per cent of fat, and more than 12.50 per cent of fiber.

On October 7, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8663. Misbranding of Fisher's Indian Remedy. U. S. * * * v. Anthony Fisher (Anthony Fisher Co.). Plea of guilty. Fine, \$25. (F. & D. No. 12327. I. S. No. 2535-r.)

On May 1, 1920, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anthony Fisher, trading as the Anthony Fisher Co., Salt Lake City, Utah, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 18, 1919, from the State of Utah into the State of Colorado, of a quantity of Fisher's Indian Remedy which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist of uncoated compressed tablets containing aloes, emodin, strychnine, saponin-like glucoside, reducing sugars, and talcum.

Misbranding of the article was alleged in substance in the information for the reason that certain statements regarding the therapeutic and curative effects thereof, appearing on the packages and in the circular contained therein, falsely and fraudulently represented it to be effective as a remedy, treatment, cure, and preventive for indigestion, stomach troubles, sick and nervous headache, neuralgia, kidney and liver complaints, rheumatism, pimples, blotches, boils, syphilitic affections, female weakness, hay fever, asthma, la grippe, catarrh, and all diseases which arise from an impure condition of the blood, eczema, nervousness, paralysis, insanity, diseases of the liver, failing eyesight, pains under the shoulder blades, and in the region of the kidneys, pain in the back, burning pains in the stomach, dizziness, yellow skin, melancholy, blood and liver trouble, jaundice, gall stones, fatty liver, malignant affections, piles, brain disease, malaria, chills and fever, kidney, bladder, and uric acid troubles, kidney disease, stomach ache, spine ache, backache, scalding urine, uterine catarrh, suppressed or painful periods, ovarian dropsy, painful or irregular menstruation, leucorrhea, and for being unwell most of the time, chronic weak-

ness, bearing down or perversion incident to life change, biliousness, and Spanish influenza, when, in fact and in truth, it was not.

On July 31, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8664. Misbranding of Pulmo Oil Compound Emulsion for the Lungs. U. S. * * * v. 13 Bottles of Pulmo Oil Compound Emulsion for the Lungs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12386. I. S. No. 3405-r. S. No. W-601.)

On April 30, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 bottles of Pulmo Oil Compound Emulsion for the Lungs, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Callahan Chemical Co., Inc., New Orleans, La., January 3, 1920, and transported from the State of Louisiana into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sperm oil containing a small amount of methyl salicylate and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the labeling, regarding the curative and therapeutic effect thereof, to wit, (carton and bottle) "Pulmo * * * for the lungs * * * A valuable remedy for tuberculosis and all pulmonary affections * * * Its immediate results are seen in freer breathing, improved appetite and strengthened vitality * * * Greatly improved appetite and increase of flesh follow use * * * Remedy for tuberculosis, hemorrhages, asthma and pulmonary affections * * *," (circular) "Pulmo a high grade remedy for * * * the lungs * * * regular use will * * * improve the appetite and build up those suffering from pulmonary diseases. Pulmo has helped others suffering from pulmonary and bronchial affections, it will help you * * *," were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 15, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8665. Misbranding of black, dried grapes. U. S. * * * v. 395 Boxes of Black, Dried Grapes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12417. I. S. No. 9901-r. S. No. C-1937.)

On May 14, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 395 boxes of black, dried grapes, at Chicago, Ill., alleging that the article had been shipped by the United Brokerage Co., Portland, Oreg., January 23, 1920, and transported from the State of Oregon into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "California Dried Grapes Packed by California Packing Corporation, San Francisco, Cal.," "Dried Grapes Packed by Chaddock & Co., Fresno, Cal.," and "25 lbs. net."

Examination of a representative sample, consisting of 52 boxes, showed an average shortage in weight of 17.12 per cent.

Misbranding of the article was alleged in substance in the libel for the reason that the statement, to wit, "25 lbs. net," appearing on each of the boxes containing the article, was false and fraudulent [misleading] and misled and deceived the purchaser in that said statement purported and represented that the said boxes contained 25 pounds of the article, whereas, in truth and in fact, said boxes contained less than 25 pounds of the article.

On June 18, 1920, Joseph Caldarulo and Mario Ardito, copartners, trading as Caldarulo & Ardito, Chicago, Ill., claimants, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article be relabeled with the correct net weight.

E. D. BALL, *Acting Secretary of Agriculture.*

8666. Misbranding of Linonine. U. S. * * * v. 45 Bottles of Linonine. Default decree of condemnation, forfeiture, and destruction. (E. & D. No. 12815. I. S. No. 17499-r. S. No. E-2309.)

On June 1, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 bottles of Linonine, consigned on or about May 13, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Kerr Chemical Co., Danbury, Conn., and transported from the State of Connecticut into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion containing essentially linseed oil, oils of eucalyptus and cinnamon, methyl salicylate, glycerin, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the labeling of the cartons and bottles containing the article, regarding the curative and therapeutic effects thereof, to wit, (bottle and carton) "Pulmonary Diseases, Consumption, Chronic Coughs * * * Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, etc. * * * Linonine is unsurpassed as a strengthener, builder, blood renewer, and for affections of the throat and lungs," (carton) " * * * a most efficient remedy for expectorant coughs * * * in the most chronic forms of the disease * * * prophylactic against emphysema * * * a remedy * * * in the asthmas which have a history of sequence of pertussis or measles * * * in the treatment of a phthisis in patients who cannot take cod liver oil, particularly in those who have much bronchitis * * *," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the results claimed.

On August 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8667. Adulteration and misbranding of Mumm's Champagne. U. S. * * * v. 26 Cases of Mumm's Champagne. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12909. I. S. Nos. 14662-r, 14663-r. S. No. E-2343.)

On June 15, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 cases of Mumm's Champagne, consigned by H. G. Mumm & Co., New York, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about March 16, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance other than unfermented nonalcoholic champagne had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged in substance in the libel for the reason that the package in which the article was enclosed contained a label which bore the following statement, regarding the article and the ingredients and substances contained therein, "H. G. Mumm & Co.'s Extra Dry Champagne Non-alcoholic," which was false and misleading in that the product was a mixture prepared from grape and apple juices, sweetened with sugar, artificially flavored and artificially carbonated. Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8668. Adulteration of canned salmon. U. S. * * * v. 5,695 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 13006. I. S. No. 3968-r. S. No. W-627.)

On or about July 8, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5,695 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Fish Co., Waterfall, Alaska, arriving at Seattle, Wash., on or about November 5, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Seaketch Brand Pink Salmon Packed in Alaska by Alaska Fish Co. Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On July 30, 1920, the American Oriental Sales Corporation, L. C. Smith Bldg., Seattle, Wash., claimant, having filed a claim and answer to the libel, and it appearing to the court that the evidence produced by libelant in support of the libel was sufficient to establish the allegations of said libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the pro-

ceedings and the execution of a bond in the sum of \$25,000, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of a representative of this department, the good portion to be released to said claimant and the bad portion destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

8669. Misbranding of Dr. A. W. Chase's Nerve Pills. U. S. * * * v. 15 Dozen Packages of Dr. A. W. Chase's Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13398, S. No. C-2299.)

On September 9, 1920, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 dozen packages of Dr. A. W. Chase's Nerve Pills, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., on or about June 14, 1920, and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Used in the treatment of * * * nervous prostration * * * nervous headache, nervous dyspepsia * * * irregular heart action, dizziness & fainting, sleeplessness;" (circular) "Nerve Pills * * * impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of diseases to set in: Nervous prostration, exhaustion, depression * * * lack of energy, ambition and nerve force, paralysis, and locomotor ataxia * * * diseased blood * * * female troubles, leucorrhea, (whites), painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe, and all diseases of the brain and nerves * * * especially suited to the needs of children. * * * weak and puny boys and girls become strong, healthy and robust * * * nourish the blood and nerves * * * nourish the weakened and exhausted nervous system back to health and strength * * * through the nerve fibers, * * * send new vitality through the whole human system * * * nerves * * * must be completely restored by such nourishment as can best be supplied by * * * Nerve Pills, the great restorative * * * loss of sensation in the hands, partial loss of memory * * * dizziness and uncertainty in walking * * * restore the wasted nerve force * * * by strengthening the nerves give them full control of the female organs * * * create new, rich blood * * * contain the life-giving principles that entitle the blood to be called the "vital fluid" * * * make pale weak men and women strong and healthy * * * give to the thin and emaciated a well rounded form which tells of a steady advance in health * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous carbonate, arsenic, manganese, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the labels bore the statements, as hereinbefore set forth, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it on said labels.

On October 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeitures was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8670. Misbranding of Brou's Injection. U. S. * * * v. 53½ Dozen Bottles of Brou's Injection. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10253. I. S. No. 2581-r. S. No. W-340.)

On May 5, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 53½ dozen bottles of an article of drugs, labeled in part "Hygienic and Preservative Brou's Injection. E. Fougere & Co., New York," alleging that the article had been shipped from New York, N. Y., in three shipments, January 25, April 9, and June 1, 1918, respectively, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was further labeled in part: (Bottle, French) "Against runnings or discharges (les 'écoulements') recent or chronic, and against 'white flowers' (leucorrhœa);" (booklet, French) "Blennorrhagia * * * blennorrhœa * * * white losses. Blennorrhagia urethral or gonorrhœa * * * strictures, injections prevent them by curing their usual causes that is to say prolonged inflammation of the mucous membranes and its extension to underlying tissues * * * acts on the mucous membranes * * * and facilitates its return to a state of health * * * keeps the walls isolated * * *;" (in English, French, Italian, German, Spanish, Portuguese, and other languages) " * * * for the cure of all recent and chronic discharges of the urinary organs * * * gleet * * * as a preservative."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphates and acetates of lead and zinc, and small amounts of opium and alcohol, in water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the bottles and in the booklets, as aforesaid, and in an accompanying circular, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 11, 1919, E. Fougere & Co., New York, N. Y., claimant, having consented to a decree, an order was entered by the court adjudging the product to be misbranded, and it was further ordered that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8671. Misbranding of Cu-Co-Ba "Tarrant." U. S. * * * v. 42 Dozen Boxes and 24 Dozen Boxes of Cu-Co-Ba "Tarrant." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 10282, 10283. I. S. Nos. 2756-r, 2598-r. S. Nos. W-357, W-358.)

On May 27, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 42 dozen boxes and 24 dozen boxes of an article of drugs, labeled in part "Cu-Co-Ba 'Tarrant' * * * The Tarrant Co. * * * New York," remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on October 26, and December 14, 1918, and January 14, and March 19, 1919, from New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba balsam and oil of cubebs.

Misbranding was alleged in substance in the libels for the reason that the article contained a circular in which the following statements appeared in part, "Cu-Co-Ba 'Tarrant' Reduces excessive and annoying discharges. * * * in inflammations and irritations of the bladder, kidneys, prostate, urethra, and vagina. Of special value in gleet, gonorrhœa and leucorrhœa, when uncomplicated with diseases of uterus or appendages. * * * In chronic bronchitis * * * gonorrhœa or clap, * * * frequent desire to urinate * * * leucorrhœa or whites," which statements were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On September 16, 1919, the two cases having been consolidated, and the Tarrant Co., New York, N. Y., claimant, having admitted the allegations of the libels and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that the product be relabeled in a form satisfactory to this department.

E. D. BALL, *Acting Secretary of Agriculture.*

8672. Misbranding of "G Zit" Complete-Stearns', and G Zit Antiseptics. U. S. * * * v. 7½ Dozen, \$3 Size, and 2½ Dozen, \$6 Size, Packages of "G Zit" Complete-Stearns', and 45 Dozen Packages of G Zit Antiseptics. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10846. I. S. Nos. 7195-r, 7196-r. S. No. C-1371.)

On July 25, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7½ dozen, \$3 size, and 2½ dozen, \$6 size, packages of "G Zit" Complete Stearns', and 45 dozen packages of G. Zit Antiseptics, remaining unsold in the original packages at Louisville, Ky., alleging that the articles had been shipped by the Stearns-Hollinshead Co., Inc., Portland, Oreg., February 6, 1919, and transported from the State of Oregon into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: ("G Zit" Complete-Stearns') (general circular) "* * * Instructions for Gonorrheal Patients To Cure Yourself. To Prevent Sexual Diseases Spreading from the Afflicted. * * *;" (G Zit Bougies, Stearns') (carton) "* * * Less chance for complicated, lasting disease if this Treatment is used;" (G Zit Antiseptics) (carton) "* * * Remember: This Antiseptic acts on all germ life that may be lodged in the bladder * * *;" (booklet) "Urethra * * * (Use Zit Antiseptic Urinary Stearns') then you must use * * * Zit Bougies, Stearns' * * * This medicine does destroy the germ of gonorrhœa * * * wrongly treated is the cause of chronic prostatitis, therefore gonorrhœa patients should use Zit Complete Stearns' * * * Stricture * * * very often gleet is not more than a symptom of a stricture * * * To avoid, use Zit Complete Stearns' * * * Seminal vesiculitis * * * to prevent it follow all directions * * * on labels of Zit Complete Stearns' * * * till cure is final and complete."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the "G Zit" Complete consisted of two preparations, bougies and capsules (the so-called antiseptics). The bougies consisted of silver nucleinate in a cacao butter base. The capsules contained copaiba balsam,

oleoresin of cubebs, sulphurated linseed oil, and a small amount of plant extractives.

It was alleged in substance in the libel that the articles were misbranded in that the labels on the packages containing them and the accompanying circulars and booklet bore and contained false and fraudulent statements, as aforesaid, regarding the curative and therapeutic effects and properties of said drugs in venereal diseases.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8673. Misbranding of Milks Emulsion. U. S. * * * v. 8 $\frac{1}{2}$ Dozen Bottles, 27 $\frac{1}{2}$ Dozen Bottles, and 20 Dozen Large and 96 Dozen Small Bottles of Milks Emulsion. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11291, 11292, 11458. I. S. Nos. 17277-r, 17272-r, 15848-r, 15849-r. S. Nos. E-1742, E-1746, E-1814.)

On or about September 26, and October 13, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 8 $\frac{1}{2}$ dozen bottles (large size), 27 $\frac{1}{2}$ dozen bottles (18 dozen \$1 size and 9 $\frac{1}{2}$ dozen 50-cent size), and 20 dozen bottles (large size) and 96 dozen bottles (small size) of Milks Emulsion, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Milks Emulsion Co., Terre Haute, Ind., on or about May 22, July 14, and April 7, 1919, respectively, and transported from the State of Indiana into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum containing a small amount of glycerin, sirup, methyl salicylate, and volatile oils.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing within the booklet accompanying the article, regarding the curative and therapeutic effects thereof, as follows, " * * * dyspepsia, indigestion, catarrh of the stomach and bowels * * * bronchitis * * * coughs, spasmodic croup, consumption (in its early stages), bronchial asthma * * *," (all shipments) " * * * stomach trouble in its various forms * * * covers acute and chronic dyspepsia, indigestion, gastritis, chronic gastric catarrh, chronic nervous dyspepsia, ulcer of the stomach, cancer of the stomach, syphilis of the stomach and tumors of the stomach * * * Thousands of people have reported to us that they found relief in the use of Milks Emulsion for various forms of stomach trouble * * * will build up the system, improve the appetite, enrich the blood and strengthen the organs of the throat and lungs, which are only too often the cause of croupy, sick and puny children. Mothers endorse Milks Emulsion because it strengthens and builds up their children as nothing else has ever done, rendering them less liable to contract many of the contagious diseases * * * an absolute preventive for spasmodic croup. Milks Emulsion will start the accumulation of pus from the cavities that have formed in the lungs by the eating away of the tissues of the walls of the air cells by the tubercular germs in 10 to 24 hours. It will cause the consumptive to expectorate very freely, and loosen the coughs as well," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On December 9, 1919, the cases having been consolidated, and the Milks Emulsion Co., Terre Haute Ind., having entered an appearance as claimant of the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article be properly labeled and branded in accordance with said act.

E. D. BALL, *Acting Secretary of Agriculture.*

8674. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. * * * v. 12 Boxes of Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11472. I. S. No. 8154-r. S. No. C-1521.)

On October 8, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 boxes of Madame Dean Antiseptic Vaginal Suppositories, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the United Medical Co. (Martin Rudy), Lancaster, Pa., on or about September 19, 1919, and transported from the State of Pennsylvania into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Leucorrhœa or Whites, Gonorrhœa, Prolapsus or Falling of the Womb and other Female Complaints. * * * The United Medical Co. * * * Lancaster, Pa.;" (circular) "* * * for the relief and cure of Inflammation, Congestion, Anteversion, Retroversion, Dropsy of the Womb, Ulceration, Polypus, Tumors, Profuse and Difficult Menstruation, Ovarian Tumors, Fibroid Tumors, Inflammation and Congestion of the Ovaries;" (booklet) "* * * a prompt and effectual remedy for the cure of * * * all Female Complaints in general."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of suppositories composed essentially of a salt of bismuth, alum, boric acid, tannin, and a trace of powdered plant drug in a cacao butter base.

Misbranding of the article was alleged in substance in the libel for the reason that the labels upon the boxes and the accompanying circulars and booklets bore certain statements, as aforesaid, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On October 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8675. Misbranding of Gon-Kure. U. S. * * * v. 12 Bottles of Gon-Kure. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11663. I. S. No. 8514-r. S. No. C-1512.)

On November 18, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 bottles of Gon-Kure, remaining in the original packages at Peoria, Ill., alleging that the article had been shipped by the Gem Medicine

Co., St. Louis, Mo., on or about April 4, 1919, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Wade's Combination Gon-Kure;" (bottle) "Gon-Kure * * *;" (box) "* * * Cystine Tablets for Bladder and Urinary Affections. * * * A prompt relief for acute or chronic Cystitis and for urinary discharges of a chronic or contagious nature. * * *;" (leaflet) "Gonorrhœa (commonly called Clap) * * * Our treatment for Gonorrhœa and Gleet is known as Gon-Kure. The package contains a bottle of Injection Gon-Kure, a box of Cystine Tablets and a syringe. Injection Gon-Kure is a mild, soothing, healing, antiseptic lotion, non poisonous and non irritating * * * it soothes, cools, and allays the inflammation promptly * * * The purpose of the Cystine Tablets is to produce a free flow of urine, eliminate the acid from the urine, thus stopping the burning on urinating and to prevent Cystitis, or relieve it when already present. These tablets help to flush the urethral canal from the bladder out, and exert a very beneficial tonic and healing influence on the entire inflamed mucous surface."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, an injection and tablets for internal use. The injection consisted of glycerin and water, with small amounts of boric acid, zinc sulphate, phenol, menthol, hydrastis, and alcohol. The tablets consisted essentially of magnesium carbonate, copaiba, cubeb, and santal oil, coated with sugar, calcium carbonate, and iron oxid.

It was alleged in substance in the libel and found by the court in its decree condemning the article that it was misbranded for the reason that certain statements appearing on the label thereof, regarding the curative and therapeutic effects of the article, were false and fraudulent since it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On October 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8676. Misbranding of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apioi Tablets. U. S. * * * v. 34 Packages of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apioi Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13305. S. No. C-2304.)

On August 20, 1920, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 packages of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apioi Tablets, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Robert J. Pierce Co., New York, N. Y., on or about April 5, 1920, and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) "* * * A safe emmenagogue. * * * remedy for the suppression of the menstrual function;" (booklet) "* * * The Celebrated Female Regulator * * * Delayed Menstruations When the suppression is of long standing, * * * follow instructions * * * until the desired result is obtained * * * Irregularities Where the menses are not regular * * * are invaluable. Take before the expected appearance of the menstrual period."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of chocolate-coated tablets consisting essentially of aloes, ferrous sulphate, pennyroyal, and plant extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the labels upon the packages and accompanying booklet bore certain statements, as hereinbefore set forth, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effect claimed for it.

On October 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8677. Misbranding of Dr. Martel's Female Pills. U. S. * * * v. 45 (12 and 33) Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13489, 13490. Inv. Nos. 26654, 26372. S. Nos. C-2336, C-2337.)

On August 25, 1920, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 packages of Dr. Martel's Female Pills, remaining unsold in the original unbroken packages at Milwaukee Wis., alleging that 12 packages thereof had been shipped by the Ashland Supply Co., Chicago, Ill., on or about December 12, 1919, and that 33 packages thereof had been shipped by the French Drug Co., New York, N. Y., on or about May 22, 1918, and that both consignments had been transported from the States of Illinois and New York, respectively, into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) " * * * Female Pills * * * for (suppression of the menses) dysmenorrhea (painful menstruation) and similar functional derangements;" (booklet) " * * * for Disturbances of the Menstrual Functions * * * For Amenorrhœa (Suppression of the Menses) * * * will be found to give lasting benefit and genuine relief * * * To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of tablets containing essentially ferrous sulphate and carbonate, and oil of savin.

Misbranding of the article was alleged in substance in the libel for the reason that the labels upon the packages and the accompanying booklet bore certain statements, as hereinbefore set forth, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effect claimed for it.

On October 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8678. Misbranding of Madame Dean Female Pills. U. S. * * * v. 24 Packages of Madam Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13581. Inv. No. 26361. S. No. C-2341.)

On August 25, 1920, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 24 packages (18 single packages and 6 special packages) of Madam Dean Female Pills, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about August 10, 1918, and transported from the State of Pennsylvania into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) "Female Pills * * * give relief in female disorders of the menstrual functions * * * for painful irregular scanty menstruation;" (booklet) "* * * irregular, prolonged, or suppressed menstruation * * * a remedy intended solely for the relief of amenorrhoea, dysmenorrhea, * * * and other derangements of the reproductive system * * * especially valuable in the functional changes * * * of the menopause or change of life * * * act on the circulatory system of the uterus, * * * assist in reestablishing or restoring the menstrual or monthly period * * * strengthen and build up the uterine function * * * a great relief against those general complaints the female sex is subject to. They help increase the vital quality of the blood, assist to bring nature into its proper channel * * * to assist nature with * * * disorders * * * during the change of life period * * * continue the treatment until they give relief * * * great relief from pains or headache * * * for suppressed menstruation * * * continue their use until relieved * * * take until the menstrual flow commences again."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the "single" pills consisted essentially of aloes, quinine, ferrous sulphate, hydrastis, ginger, and cornstarch, and that the "special" pills consisted essentially of aloes, quinine, ferrous sulphate, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the labels upon the packages and accompanying circular bore certain statements, as aforesaid, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On October 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8679. Misbranding of Leonard Ear Oil. U. S. * * * v. 11 Dozen Bottles of Leonard Ear Oil. Consent decree of condemnation and forfeiture. Destruction ordered by the court. (F. & D. No. 11326. I. S. No. 3031-r. S. No. W-502.)

On or about September 30, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 dozen bottles of Leonard Ear Oil, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by A. O. Leonard, New York, N. Y., July 21, 1919, and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "* * * recommended for relief of Deafness, Head Noises, Discharging, Itching, Scaly Ears * * * and Ear Ache * * * Ear Troubles * * *;" (bottle) "* * * for relief of deafness * * * Dry, Itching, Aching and Discharging Ears * * *;" (circular) "* * * has

relieved the Deafness and Head Noises of more people than any known remedy * * * to soften and loosen the mucus * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution of camphor, oil of eucalyptus, and a trace of alkalioid in mineral oil.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements regarding its curative and therapeutic effect, appearing on the labeling thereof, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 29, 1920, the said A. O. Leonard, claimant, having admitted the allegations of the libel and confessed judgment, a decree was entered by order of the court for the destruction of the product by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8680. Misbranding of Zendejas Treatment. U. S. * * * v. 89 Bottles of a Drug Product. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12437. I. S. No. 9701-r. S. No. C-1930.)

On May 3, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 89 bottles of a drug product, remaining unsold in the original unbroken packages at Houston, Tex., alleging that the article had been shipped by Panfilo Zendejas, Los Angeles, Calif., on or about February 13, 1920, and transported from the State of California into the State of Texas, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Zendejas Treatment a Strong Purifier of the Blood a Blood Depurator."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution containing potassium iodid, plant extractives, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative or therapeutic effects of the said drug product or medicine were false and fraudulent in that the medicine contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On September 27, 1920, Panfilo Zendejas, claimant, having filed an answer and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceeding and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8681. Adulteration of canned salmon. U. S. * * * v. 208 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12438. I. S. No. 664-r. S. No. E-2992.)

On May 6, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 208 cases of canned salmon, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about July 10, 1919, and transported from the State of Virginia into the State of New York, and charging adulteration under the Food and Drugs Act.

The article was labeled in part, "Halls Pink * * * Sealect Brand Pink Salmon * * * G. Batcheller Hall Co. Distributor Seattle, Washington."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On July 19, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8682. Adulteration and misbranding of gelatin. U. S. * * * v. W. B. Wood Mfg. Co., a Corporation, and W. B. Wood. Plea of nolo contendere. Fine, \$250 and costs. (F. & D. No. 12477. I. S. Nos. 11371-r, 11400-r, 12429-r.)

On September 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the W. B. Wood Mfg. Co., a corporation, and W. B. Wood, St. Louis, Mo., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 4, 1919, March 25, 1919, and March 16, 1919, from the State of Missouri into the States of Ohio and Kentucky, of quantities of gelatin which was adulterated and misbranded. The shipment of March 4 was invoiced as gelatin. The remaining shipments were labeled "Gelatine."

Analyses of samples by the Bureau of Chemistry of this department showed that the article in each shipment consisted in part of glue and contained excessive quantities of zinc.

Adulteration of the article in all shipments was alleged in the information for the reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might have rendered the article injurious to health, and for the further reason that glue had been mixed and packed with, and substituted in part for, gelatin, which the article purported to be.

Misbranding of the article in the shipments of March 16 and 25, 1919, was alleged in the information for the reason that the statement, "Gelatine," borne on the drum containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, and the article was labeled as aforesaid so as to deceive and mislead the purchaser in that it represented that said article was gelatin, whereas, in truth and in fact, said article was not gelatin, but was a mixture composed in part of glue. Misbranding was alleged for the further reason that the article was a mixture composed in part of glue, prepared in imitation of gelatin, and was offered for sale and sold under the distinctive name of another article, to wit, gelatin.

On November 6, 1920, the defendants entered pleas of nolo contendere to the information, whereupon the court imposed a fine of \$250 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8683. Misbranding of cottonseed meal. U. S. * * * v. Thomas R. Pugh and Joseph W. Pugh (Wilmot Oil Mill). Plea of guilty. Fine, \$20 and costs. (F. & D. No. 12479. I. S. Nos. 6887-r, 12034-r.)

On or about August 6, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas R. Pugh and Joseph W. Pugh, copartners, trading as the Wilmot Oil Mill, Wilmot, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about February 3 and 18,

1919, from the State of Arkansas into the States of Missouri and Kansas, of quantities of cottonseed meal which was misbranded.

Examination of the shipments showed that the sacks were unlabeled.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 1, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture*.

8684. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Memphis Cotton Hull & Fibre Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12483. I. S. No. 10927-r.)

On or about September 8, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Memphis Cotton Hull & Fibre Co., a corporation, having a place of business at Memphis, Tenn., alleging shipment by said defendant company, in violation of the Food and Drugs Act, on or about June 3, 1919, from the State of Tennessee into the State of Kentucky, of a quantity of cottonseed meal which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 34.40 per cent protein, 5.50 per cent nitrogen, and at least 34 per cent cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Cotton Seed Meal" and "Guaranteed Analysis Protein 36.00% * * * Nitrogen 5.75%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article consisted wholly of cottonseed meal, and that it contained not less than 36 per cent of protein and not less than 5.75 per cent of nitrogen, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article consisted wholly of cottonseed meal and contained not less than 36 per cent of protein and not less than 5.75 per cent of nitrogen, whereas, in truth and in fact, said article did not consist wholly of cottonseed meal, but consisted in part of cottonseed hulls, and said article did contain less than 36 per cent of protein and less than 5.75 per cent of nitrogen.

On September 16, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture*.

8685. Misbranding of Brazilian Balm. U. S. * * * v. 18 Bottles, 54 Bottles, and 24 Bottles of Brazilian Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12510. I. S. No. 8550-r. S. No. C-1827.)

On or about March 17, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles, 25-cent size, 54 bottles, 50-cent size,

and 21 bottles, \$1 size, of Brazilian Balm, remaining unsold in the original unbroken packages at Rock Island, Ill., alleging that the article had been shipped by B. F. Jackson & Co., Arcade, N. Y., on or about September 18, 1919, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (25-cent size) (bottle) “* * * Grip, Croup, Throat and Lung Troubles, Catarrh, Asthma, Bronchitis and Fevers * * * mumps * * * constipation, piles and all inflammatory conditions * * *;” (wrapper) “* * * La Grippe, Croup, Fevers * * * Catarrh * * * Sore Throat, Bronchitis, Asthma, Catarrh of head and system, Pneumonia, Fevers, Inflammation and many lung troubles * * *;” (small circular) “* * * * Grip, Catarrh * * * Inflammation of The Lungs * * * Pneumonia * * * Spanish Influenza * * * Whooping Cough * * * Asthma * * *;” (large circular) “* * * Croup, Grip, Sore Throat, Bronchitis, Fevers * * * Asthma and Catarrh * * * Pneumonia * * * Spanish Influenza * * * Hay Fever * * * Systemic Catarrh * * * Mumps * * * Typhoid Fever * * * Congestion of the Lungs, Laryngitis and Heart Failure * * * Blood Poison * * * Catarrh of Bowels * * * Sick Headache * * * Typhoid Pneumonia * * * Colic Indigestion * * * Female Troubles * * * Consumption * * * Kidney Trouble * * * Constipation * * *;” (50-cent and \$1 sizes labeled as above and in addition) (wrapper) “La Grippe, Croup, Catarrh, Asthma, Pleurisy, fevers, * * * Sore Throat, Bronchitis * * * Inflammation, Lung Troubles;” (additional small circular) “* * * Croup, Pleurisy, Bronchitis, Sore Throat, Sore Lungs, Catarrh, Asthma and outwardly for Constipation * * * Mumps * * * Lamé Back * * * Grip, Measles * * * Hemorrhage of the Lungs * * * Fevers * * * Typhoid and Pneumonia * * * Systemic Catarrh * * * Inflammation of bowels * * *;” (additional large circular) “* * * La Grippe, Croup, Bronchitis, Pleurisy, Sore Throat, Catarrh, Asthma, Pneumonia, Etc. * * * Blood Poison * * * Spanish Influenza * * * Hay Fever * * * Systemic Catarrh * * * Bloating * * * Bleeding Lungs, Stomach, Bowels, * * * Bleeding Uterus * * * Catarrh of Lungs * * * Catarrh of Uterus * * * Constipation * * * Contagious Diseases * * * Fevers * * * Hemorrhage * * * Hemorrhoids * * * Blood Poison * * * Leucorrhœa or Whites * * * Measles * * * Mumps * * * Neuralgia * * * Piles * * * Prophylactic * * * Quinsy * * * Scarlet Fever * * * Sore Throat, Tonsillitis * * * Tuberculosis * * * Typhoid * * * Whooping Cough.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a sirup composed essentially of plant extractives, including hydrastis, sugar, glycerin, methyl salicylate, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the statements contained in the labeling above quoted, regarding the curative and therapeutic effects, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8686. Misbranding of Brazilian Balm. U. S. * * * v. 69 Bottles of Brazilian Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12518. I. S. No. 13460-r. S. No. E-2035.)

On or about March 18, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 69 bottles of Brazilian Balm, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by B. F. Jackson & Co., Arcade, N. Y., on or about March 2, 1920, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper) "La Grippe, Croup, Catarrh, Asthma, Bronchitis, Pleurisy, Fevers, * * * Sore Throat, * * * Inflammations, Lung Troubles;" (bottle) "* * * Grip, Croup, Throat and Lung Troubles, Catarrh, Asthma, Bronchitis, And Fevers * * * mumps * * * constipation, piles, and all inflammatory conditions * * *;" (small circular) "* * * Grippe, Catarrh * * * Inflammation of the Lungs * * * Pneumonia * * * Spanish Influenza * * * Whooping Cough * * * Asthma * * *;" (additional small circular) "* * * Croup, Pleurisy, Bronchitis, Sore Throat, Sore Lungs, Catarrh, Asthma, and outwardly for Constipation * * * Mumps * * * Lamé Back * * * Grip, Measles * * * Hemorrhage of the Lungs * * * Fever * * * Typhoid and Pneumonia * * *;" (large circular) "* * * Croup, La Grippe, Sore Throat, Bronchitis, Fevers, * * * Asthma and Catarrh * * * Pneumonia * * * Spanish Influenza * * * Hay Fever * * * Systemic Catarrh * * * Mumps * * * Typhoid Fever * * * Congestion of Lungs, Laryngitis and Heart Failure * * * Blood Poison * * * Catarrh of Bowels * * * Sick Headache * * * Serious Female Troubles * * * Quick Consumption * * * Pleurisy Quickly Cured * * * Typhoid and Pneumonia Cured * * * Kidney Trouble * * * Swellings;" (additional large circular) "* * * La Grippe, Croup, Bronchitis, Pleurisy, Sore Throat, Catarrh, Asthma, Pneumonia, etc. * * * Blood Poison * * * Spanish Influenza * * * Hay Fever * * * Bloating * * * Bleeding Lungs, Stomach, Bowels * * * Bleeding Uterus * * * Catarrh of Lungs * * * Catarrh of Uterus * * * Constipation * * * Contagious Diseases * * * Fevers * * * Hemorrhage * * * Hemorrhoids * * * Blood Poison * * * Leucorrhœa or Whites * * * Measles * * * Mumps * * * Neuralgia * * * Piles * * * Prophylactic * * * Quinsy * * * Scarlet Fever * * * Sore Throat, Tonsilitis * * * Tuberculosis * * * Typhoid * * * Whooping Cough * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a sirup composed essentially of plant extractives, including hydrastis, sugar, glycerin, alcohol, water, and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements appearing on the wrappers and bottles, and in the circulars accompanying all the packages, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article consisted essentially of extract of vegetable material, including goldenseal, glycerin, sugar, alcohol, and water, flavored with methyl salicylate, and did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On or about July 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8687. Misbranding of Texas Wonder. U. S. * * * v. 10 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12532. I. S. No. 8589-r. S. No. C-1869.)

On or about April 1, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Rock Island, Ill., alleging that the article had been shipped on or about February 19, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Texas Wonder * * * A Remedy for Kidney and Bladder Troubles Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article made by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative or therapeutic effects of the article, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 18, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8688. Adulteration and misbranding of sauerkraut. U. S. * * * v. 200 Barrels of Sauerkraut. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 12554. I. S. Nos. 7358-r, 7359-r. S. No. C-1837.)

On March 24, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 barrels of sauerkraut, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging shipment of the article on or about January 9 and January 14, 1920, by Morris Kein [Kein], Newark, N. Y., and transportation from the State of New York into the State of Ohio, and charging adulteration and misbranding under the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a decomposed vegetable substance.

Misbranding of the article was alleged in the libel for the reason that the product was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 31, 1920, Morris Kein [Kein], claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8689. Misbranding of Brazilian Balm. U. S. * * * v. 93 Bottles and 45 Bottles, 69 Bottles and 30 Bottles, 141 Bottles and 69 Bottles of Brazilian Balm. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12559, 12560, 12561. I. S. Nos. 17492-r, 17493-r, 17485-r, 17486-r. S. Nos. E-2039, E-2040, E-2041.)

On March 18, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 93 bottles, 25-cent size, and 45 bottles, 50-cent size, etc., of Brazilian Balm, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by B. F. Jackson & Co., Arcade, N. Y., on or about February 11, February 13, and February 25, 1920, and transported from the State of New York into the State of Maryland, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (25-cent size) (bottle) " * * * Grip, Croup, Throat and Lung Troubles, Catarrh, Asthma, Bronchitis and Fevers * * * Mumps * * * constipation, piles and all inflammatory conditions * * *;" (wrapper) " * * * Coughs, Grip, Croup * * * Sore Throat, Bronchitis, Asthma, Catarrh of head and system, Pneumonia, Fevers, Inflammation and many lung troubles * * * Swellings * * *;" (small circular) " * * * Croup, Pleurisy, Bronchitis, Sore Throat, Sore Lungs, Catarrh, Asthma * * * Constipation * * * Mumps * * * Lamé Back * * * Grip * * * Measles * * * Hemorrhage of the Lungs * * * Fevers * * * Typhoid and Pneumonia * * * Systemic Catarrh * * * Inflammation of Bowels * * *;" (large circular) " * * * Grip, Croup, Bronchitis, Pleurisy, Sore Throat, Catarrh, Asthma, Pneumonia, Etc. * * * Swellings * * * Blood Poison * * * Spanish Influenza, Hay Fever * * * Bloating * * * Bleeding Lungs, Stomach, Bowels * * * Bleeding Uterus * * * Catarrh of Lungs * * * Catarrh of Uterus * * * Constipation * * * Contagious Diseases * * * Earache * * * drop in ear, Same for running ears * * * Fevers * * * Hemorrhage * * * Hemorrhoids * * * Blood Poison * * * Leucorrhœa or Whites * * * Measles * * * Mumps * * * Neuralgia * * * Piles * * * Prophylactic * * * Quinsy * * * Scarlet Fever * * * Sore Throat * * * Tonsilitis * * * Tuberculosis * * * Typhoid * * * Systemic Catarrh * * * Whooping Cough * * *;" (50-cent size) (bottle) " * * * Croup, Throat, and Lung Troubles, Catarrh in Head, Stomach, Bowels, Etc. * * * Asthma * * * Grip, Pleurisy, Inflammation and Hemorrhage of Lungs, Stomach, Bowels, Wounds, Etc. Wonderful in Fevers * * * prevents Lock Jaw * * * Running Ears, Inflamed Eyes * * * Swellings as in Mumps, Sore Throat * * * Bloating in Typhoid * * *;" (wrapper) " * * * LaGrippe, Croup * * * Sore throat, Bronchitis, Asthma, Catarrh, Fevers, Inflammation, Lung Troubles, Etc. * * * Piles, Pleurisy * * *;" (circulars identical with those for 25-cent size, and additional small circular) " * * * Grippe, Catarrh * * * Inflammation of the Lungs * * * Pneumonia * * * Spanish Influenza * * * Whooping Cough * * * Asthma * * *;" (additional large circular) " * * * Croup, Grip, Sore throat, Bronchitis, Fevers * * * Asthma and Catarrh * * * Swellings, Etc. * * * Pneumonia * * * Spanish Influenza * * * Hay Fever * * * Mumps * * * Systemic Catarrh * * * Typhoid Fever * * * Congestion of the Lungs, Laryngitis and Heart Failure * * * Blood Poison Prevented * * * Catarrh of the Bowels * * * Sick Headache * * * Serious

Female Troubles * * * Quick Consumption * * * Pleurisy Quickly Cured * * * Kidney Trouble * * * Typhoid and Pneumonia Cured * * *

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of plant extractives, including hydrastis, glycerin, sugar, alcohol, methyl salicylate flavoring, and water.

Misbranding of the article was alleged in the libels for the reason that the foregoing statements, regarding the curative or therapeutic effect of the article, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On May 21, 1920, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8690. Misbranding of cottonseed meal. U. S. * * * v. Valley Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12347. I. S. No. 10913-r.)

On July 7, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Valley Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 22, 1919, from the State of Tennessee into the State of Kentucky, of a quantity of an article labeled in part, "Owl Brand, F. W. Brode & Co., Inc., Memphis, Tenn. High-Grade Cotton Seed Meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of 7.26 per cent of ammonia, 37.36 per cent of protein, 5.98 per cent of nitrogen, and 12.52 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed analysis Ammonia 8% Protein 41% Nitrogen 6½% Fibre, Maximum 10% These are Minimum Guarantees Frequently Runs Higher," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6½ per cent of nitrogen, and not more than 10 per cent of fiber, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6½ per cent of nitrogen, and not more than 10 per cent of fiber, whereas, in truth and in fact, said article contained less than the amounts named of ammonia, protein, and nitrogen, and more than 10 per cent of fiber, to wit, approximately 7.26 per cent of ammonia, approximately 37.36 per cent of protein, approximately 5.98 per cent of nitrogen, and approximately 12.52 per cent of crude fiber.

On October 28, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8691. Misbranding of Texas Wonder. U. S. * * * v. 1 Gross Bottles and 12 Dozen Bottles * * * of Drug Products. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12393, 12394. I. S. Nos. 9697-r, 9695-r. S. Nos. C-1926, C-1927.)

On July 16, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 1 gross bottles and 12 dozen bottles of drug products, at Houston, Tex., shipped April 5 and March 26, 1920, alleging that the article had been shipped by G. Nash, St. Louis, Mo., and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Carton) "Texas Wonder. Contains 43% alcohol before diluted. 5% after diluted. * * * for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel, Regulates Bladder Trouble in Children. One small bottle is 2 month's Treatment. Price \$1.25 per bottle. E. W. Hall, Sole Manufacturer, St. Louis, Mo.;" (circular) "In cases of gravel and rheumatic troubles it should be taken every night in 25 drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, gualac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements on the carton and in the circular accompanying the article, regarding the curative or therapeutic effect thereof, were false and fraudulent in that said drug or medicine contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On October 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8692. Misbranding of Linonine. U. S. * * * v. 307 Bottles, 34 Dozen Bottles, 90 Dozen Bottles, 36½ Dozen Bottles, 29 Dozen Bottles, and 36 Dozen Bottles * * * Linonine. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 12392, 12397, 12398, 12399, 12400, 12414. I. S. Nos. 57-r, 58-r, 59-r, 60-r, 61-r, 62-r, 63-r, 64-r. S. Nos. E-2088, E-2089, E-2090, E-2097, E-2098, E-2117.)

On May 4, 5, and 11, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 307 bottles, 34 dozen bottles, 90 dozen bottles, 36½ dozen bottles, 29 dozen bottles, and 36 dozen bottles of Linonine, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Kerr Chemical Co., Danbury, Conn., between December 15, 1919, and March 11, 1920, and transported from the State of Connecticut into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Large and small bottles) "Pulmonary Diseases, Consumption, Chronic Coughs * * * Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, Etc. * * * Linonine is Unsurpassed as a Strengtheners, Builder, Blood Renewer, and for Affections of the Throat and Lungs;" (cartons, large size

only) "Linonine * * * uses * * * Pulmonary Diseases, Consumption, Chronic Coughs * * * Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, Etc. * * * Linonine is Unequalled as a Strengthener, Builder, Blood Renewer, and all Affections of the Throat and Lungs * * * the emulsion of linseed oil * * * a most efficient remedy for expectorant coughs * * * in the most chronic forms of the disease * * * prophylactic against emphysema * * * A remedy * * * in the asthmas which have a history of sequence to pertussis or measles. * * * in the treatment of a phthisis in patients who cannot take cod liver oil, particularly in those who have much bronchitis. * * * change the secretion from the * * * small adhesive, yellowish pellicle which causes such severe coughing in chronic bronchial catarrh, to the secretion which the patients themselves will easily describe as loose and easy."

Analysis of sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed essentially of linseed oil, oils of cinnamon and eucalyptus, methyl salicylate, and glycerin.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the cartons and bottles, regarding the curative and therapeutic effects of the article, were false and fraudulent as the article contained no ingredients or combination of ingredients capable of producing the effects claimed for it.

On October 18 and 28, 1920, the said Kerr Chemical Co., claimant, having admitted the truth of the allegations of the libels and consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product might be released to said claimant upon payment of all costs of the proceedings and the execution of bonds in the aggregate sum of \$1,545, in conformity with section 10 of the act, conditioned in part that the said claimant relabel the goods in a manner satisfactory to this department.

E. D. BALL, *Acting Secretary of Agriculture.*

8693. Misbranding of Linonine. U. S. * * * v. 17½ Dozen Large and 27½ Small Bottles, 5 Dozen Large and 4 Dozen Small Bottles, 8 Dozen Large and 6 Dozen Small Bottles, and 12 Dozen Large and 6 Dozen Small Bottles of Linonine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12401, 12402, 12403, 12404. I. S. Nos. 402-r, 13244-r, 13245-r. S. Nos. E-2093, E-2095, E-2096.)

On May 6, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information, praying the seizure of 17½ dozen large and 27½ small bottles, 5 dozen large and 4 dozen small bottles, 8 dozen large and 6 dozen small bottles, and 12 dozen large and 6 dozen small bottles of Linonine, at Worcester and Boston, Mass., consigned by the Kerr Chemical Co., Danbury, Conn., between January 8 and April 3, 1920, alleging that the article had been transported from the State of Connecticut into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed essentially of linseed oil, oils of eucalyptus and cinnamon, methyl salicylate, and glycerin.

Misbranding of the article was alleged in the libels of information for the reason that the following statements regarding its curative and therapeutic effect, (bottle labels) "Pulmonary Diseases, Consumption, Chronic Coughs, Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, Rickets,

Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, Etc. * * * Linonine is unsurpassed as a Strengtheners, Builder, Blood Renewer and for Affections of the Throat and Lungs;" (cartons, large size only) "Linonine * * * uses * * * Pulmonary Diseases, Consumption, Chronic Coughs * * * Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, Etc. * * * Linonine is Unequalled as a Strengtheners, Builder, Blood Renewer, and All Affections of the Throat and Lungs * * * the emulsion of linseed oil * * * a most efficient remedy for expectorant coughs * * * in the most chronic forms of the disease * * * prophylactic against emphysema * * * a remedy * * * in the asthmas which have a history of sequence to pertussis or measles * * * in the treatment of a phthisis in patients who cannot take cod liver oil, particularly in those who have much bronchitis * * * change the secretion from the * * * small adhesive yellowish pellicle which causes such severe coughing in chronic bronchial catarrh, to the secretion which the patients themselves will easily describe as loose and easy," were false and misleading and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S694. Adulteration and misbranding of vinegar. U. S. * * * v. 72 Barrels of Cider Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12425. I. S. No. 660-r. S. No. E-2076.)

On April 28, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 72 barrels of an article labeled in part, "R. O. Co. Cider Vinegar Made from Apple Juice Reduced to four per cent acidity Mfd. by E W D RISE-DORPH * * *," remaining unsold in the original unbroken packages at Danbury, Conn, alleging that the article had been shipped on or about March 13, 1920, by the Powell Vinegar Corp., Canandaigua, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that acetic acid or distilled vinegar and ash material had been mixed and packed with, and substituted wholly or in part for, the product, so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the labels upon each of the bottles containing the article bore certain statements and words regarding the vinegar which were false and misleading, that is to say, said labels bore the following words, "Cider Vinegar made from Apple Juice," which statement and words were intended to be of such a character as to induce the purchaser to believe that the product was pure cider vinegar, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of another article, to wit, pure cider vinegar.

On June 9, 1920, the Powell Vinegar Corp., Canandaigua, N. Y., claimant, having consented that the issues in the cause might be found for the United

States, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be redelivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,400, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8695. Misbranding of sardines in salt and salted anchovies. U. S. * * * v. 118 Cases of Salted Anchovies and 71 Cases of Sardines in Salt, U. S. * * * v. 15 Cases of Salted Anchovies and 15 Cases of Sardines in Salt, and U. S. * * * v. 5 Cases of Sardines in Salt. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 12598 to 12607, inclusive. I. S. Nos. 13468-r, 13469-r, 13470-r. S. No. E-2066.)

On April 8, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 118 cases of salted anchovies, 71 cases of sardines in salt, 15 cases of salted anchovies, 15 cases of sardines in salt, and 5 cases of sardines in salt, at Pittsburgh, Erie, and New Castle, Pa., alleging that the articles had been shipped by Kirstein & Co., from Monterey, Calif., on or about October 17 and November 22, 1919, respectively, and transported from the State of California into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The anchovies were labeled in part, "11 Sole Brand Salted Anchovies Especially Selected and Packed by Cardinale & Lafata, Monterey, Calif. Net Weight 4 Lbs.," or "11 Lbs.," as the case might be. The sardines were labeled in part, "11 Sole Brand Sardines in Salt Especially Selected and Packed by Cardinale & Lafata, Monterey, Calif. Net Weight 4 Lbs." and "Net Weight 11 Lbs.," respectively.

Misbranding of the articles was alleged in substance in the libels for the reason that the labels contained the statement, "Net Weight 5 Lbs." or "Net weight 11 Lbs.," as the case might be, which was false and misleading and deceived and misled the purchaser, since examination showed the products to be short weight. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On April 22, 1920, Cardinale & Lafata, Monterey, Calif., claimants, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be surrendered to said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$900, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8696. Adulteration of candy. U. S. * * * v. 350 Pounds of Chocolate Candy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12609. I. S. No. 659-r. S. No. E-2078.)

On April 20, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 350 pounds of chocolate candy, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped on or about September 9, 1919, by the H. J. Rigby Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration, in violation of the Food and Drugs Act. The article was labeled

in part, "Queen Anne Chocolates Quality Good Pure Candy Net Weight 1-Lb. The H. J. Rigby Company, New York City."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy decomposed animal and vegetable substance, to wit, worm excreta.

On June 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8697. Misbranding of Sirop D'Anis (Sirup of Anise). U. S. * * * v. 129 Bottles * * * of Sirop D'Anis. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12655. I. S. No. 906-r. S. No. E-2178.)

On May 20, 1920, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 129 bottles of Sirop D'Anis, at Troy, N. Y., alleging that the article had been shipped on or about April 21, 1920, by J. A. E. Gauvin, Lowell, Mass., and transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Bottles) "For babies * * * This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and painful dentition * * *;" (in the French language) "For babies * * * This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc. * * *;" (on paper coverings wrapped around bottles) "For babies * * * This Syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc. * * *;" (circulars, English) "For babies * * * A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful;" (circulars, French) "For Babies, * * * A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, alcohol, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, printed on the bottles and wrappers, regarding the curative and therapeutic effect of the article when administered, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 31, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8698. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 25 Bottles of * * * Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12656. I. S. No. 902-r. S. No. E-2165.)

On May 20, 1920, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 25 bottles of Gauvin's Cough Syrup, at Ogdensburg, N. Y., alleging that the article had been shipped on or about August 30, 1919, by J. A. E. Gauvin, Lowell, Mass., and transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (Bottles, English) "For 'La Grippe,' Whooping Cough & all affections of the Throat & Lungs;" (cartons) "Recommended for * * * 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases * * * A safe and active Remedy for all Diseases of the Respiratory Organs * * * La Grippe, Whooping Cough and all Throat and Lung Diseases;" (circular, English) "* * * Successfully used in all affections of the Throat, Bronchi and Lungs * * * especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping Cough, Influenza and in the first stages of consumption * * * Tuberculosis * * * ailments of the Chest * * * Spasmodic Coughs * * * Coughs * * *;" (circular, French) "* * * Used against all Affections of the throat, Bronchi and Lungs * * * Gauvin's Cough Syrup is fully indicated for treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption * * * Tuberculosis and * * * Epidemic Grippe * * * Diseases of Chest * * * Gastric Disorders."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark, spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements printed on the bottles and cartons, regarding the curative and therapeutic effects of the article when administered, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 31, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

\$699. Adulteration of tomato purée. U. S. * * * v. 100 Cases of Canned Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12657. I. S. No. 7283-r. S. No. C-1940.)

On May 26, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing 48 cans of tomato purée, remaining unsold in the original unbroken packages at Louisville, Ky., alleging that the article had been transported in interstate commerce from Austin, in the State of Indiana, into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, "Puree" (design of whole ripe tomato) "shipped by Morgan Packing Co., Austin, Ind. * * * Minimum Weight 8 Oz. Austin Canning Co. Austin, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8700. Adulteration and misbranding of wheat shorts. U. S. * * * v. Phoenix Flour Mill, a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 7288. I. S. No. 15003-p.)

On May 1, 1920, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against the Phoenix Flour Mill, a corporation, Evansville, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on or about May 31, 1917, from the State of Indiana into the State of Alabama, of a quantity of an article, labeled in part "Fancy Shorts * * * Pure Wheat Shorts Fancy Brand," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained an appreciable amount of weed seeds.

Adulteration of the article was charged in the indictment for the reason that a substance, to wit, weed seeds, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for fancy shorts, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Fancy Shorts made from wheat," borne on the tags attached to the sacks containing the article, and the statements, to wit, "Pure Wheat Shorts," borne on the sacks containing the article, regarding said article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a product made wholly from wheat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a product made wholly from wheat, whereas, in truth and in fact, it was not a product made wholly from wheat, but was a mixture composed in part of weed seeds.

On June 18, 1920, a plea of guilty to the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

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